

Chapter 17

Yezidis: The Pursuit of Justice and a Brighter Future

Pari Ibrahim

In the early hours of August 3, 2014, I woke up from a great deal of commotion in the house. Members of my family were on the phone with friends and relatives in Shingal and in Duhok, relaying messages of horror and fear. ISIS terrorists had entered Shingal—the Yezidi population was under attack.¹ In Europe, we had a feeling of helplessness and shock.

Days later, I created the Free Yezidi Foundation² from my home in the Netherlands. Initially, I hoped to literally help free Yezidis dying of heat and hunger on Mount Shingal. I created the #StopYezidiGenocide hashtag and we began protests in The Hague and Brussels calling for emergency assistance, both military and humanitarian, to save innocent civilians. At most, I hoped to raise enough money to provide humanitarian aid to survivors who reached safe areas. As the airstrikes allowed many Yezidis to flee,³ our goals were transformed from emergency appeals to long-term goals including recovery and trauma treatment, providing assistance and education in Yezidi IDP camps, and the pursuit of justice.

Justice

The first step on the road to justice was to achieve international recognition that the ISIS attacks against the Yezidis constituted genocide. This was not a military campaign—this was genocide. Analysis conducted by

¹ Chulov, Martin. “40,000 Iraqis stranded on mountain as Isis jihadists threaten death.” *The Guardian*, August 6, 2014. <https://www.theguardian.com/world/2014/aug/07/40000-iraqis-stranded-mountain-isis-death-threat>.

² Free Yezidi Foundation. www.freeyezidi.org.

³ Cooper, Helene, Mark Landler, and Alissa J. Rubin. “Obama Allows Limited Airstrikes on ISIS.” *New York Times*, August 7, 2014. <https://www.nytimes.com/2014/08/08/world/middleeast/obama-weighs-military-strikes-to-aid-trapped-iraqis-officials-say.html>.

the U.S. Holocaust Museum⁴ resulted in recognition from the United States,⁵ the European Parliament,⁶ and others.⁷

Initially, we hoped that the International Criminal Court would take up this case, and we met the ICC Chief Prosecutor in The Hague, co-submitting official communication on ISIS foreign fighters.⁸ As the ICC was unwilling to even commence a preliminary examination, Yezidi activists tried to pressure the UN Security Council⁹ to refer the case to the ICC, thus far to no avail.

In many judicial systems, including throughout Europe,¹⁰ Iraq,¹¹ and the Kurdistan Region,¹² ISIS perpetrators are indicted and in many cases convicted. But the charge is invariably related to terrorism. These perpetrators are most certainly terrorists. But the crimes against Yezidis are much more than that. The mass murders, torture, rape, enslavement, and

⁴ Kikoler, Naomi. "Our Generation is Gone" The Islamic State's Targeting of Iraqi Minorities in Ninewa." United States Holocaust Memorial Museum, Simon Skjodt Center for the Prevention of Genocide, September 2015. <https://www.ushmm.org/m/pdfs/Iraq-Bearing-Witness-Report-111215.pdf>

⁵ Morello, Carol, and William Branigin. "Kerry declares Islamic State has committed genocide." *Washington Post*, March 17, 2016. https://www.washingtonpost.com/world/national-security/kerry-declares-islamic-state-has-committed-genocide/2016/03/17/35ea5e66-ec3e-11e5-a6f3-21ccd5f74e_story.html?utm_term=.daee833a9ca8.

⁶ Moore, Jack. "European Parliament Recognizes ISIS Killing of Religious Minorities as Genocide." *Newsweek*, February 4, 2016. <http://www.newsweek.com/european-parliament-recognizes-isis-killing-religious-minorities-genocide-423008>.

⁷ "UN Commission of Inquiry on Syria: ISIS is committing genocide against the Yazidis." UN OHCHR, June 16, 2016. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20113>

⁸ "ISIL: Nationals of ICC states parties committing genocide and other crimes against the Yazidis." Yazda and the Free Yezidi Foundation, September 2015. <http://www.freeyezidi.org/wp-content/uploads/Corr-RED-ISIL-committing-genocide-ag-the-Yazidis.pdf>

⁹ A speech made by the author at the UN Security Council is available here. <https://www.freeyezidi.org/blog/speech-of-pari-ibrahim-at-un-security-council-2/>. A speech by Nadia Murad Basee Taha (ISIS victim) is available here. <http://webtv.un.org/watch/nadia-murad-basee-taha-isis-victim-on-trafficking-of-persons-in-situations-of-conflict-security-council-7585th-meeting/4665835954001>

¹⁰ "Islamic State Changing Terror Tactics to Maintain Threat in Europe." Europol, December 2, 2016. Press Release. <https://www.europol.europa.eu/newsroom/news/islamic-state-changing-terror-tactics-to-maintain-threat-in-europe>

¹¹ Damon, Arwa, and Hamdi Alkshali. "CNN exclusive: Detained ISIS members speak from Iraqi jail." CNN, March 30, 2015. <http://www.cnn.com/2015/03/30/middleeast/isis-behind-bars-exclusive/index.html>.

¹² Georgy, Michael. "Captive Islamic State militant says mass rapes were 'normal'." *Reuters*, February 17, 2017. <http://www.reuters.com/article/us-mideast-crisis-mosul-prisoners-idUSKBN15W1N0>.

abuse constitute crimes against humanity and genocide.¹³ Every single ISIS perpetrator who has abused a Yezidi woman, has participated in the capture or imprisonment of Yezidi victims, or has been involved in the execution of Yezidis is guilty of participating in the genocide.

While we do hope for an international mechanism to comprehensively address these crimes, we are meanwhile focusing on national jurisdictions. We know the KRG and Iraqi authorities are holding a significant number of ISIS perpetrators in prison,¹⁴ and it is important to understand which perpetrators committed atrocities and hold them accountable. This is an enormous effort for any government, and that is why an international mechanism with funding and judicial expertise is optimal. However, until that happens, we want to see the KRG take the matter of justice seriously and be sure that Yezidi survivors can face ISIS perpetrators in court and the supremacy of justice and the rule of law prevail.

The Referendum, Path to Independence, and Impact on Yezidis

In this publication, it is important to reflect the Yezidi perspective regarding the referendum and the prospect of the KRG achieving independence. There are three primary considerations regarding the Yezidi people, including both Shingalis and those who are residents of the Duhok area: security requirements, political needs, and economic opportunity.

Security is a pre-requisite in order to rebuild a Yezidi society after the genocidal attack. This refers to the prevention of an ISIS-style attack, but also to daily life. Yezidis must feel comfortable to live in freedom and peace, without discrimination, hate crimes, or threat of attack. If the KRG moves toward independence, it is important that protection of the Yezidi minority in terms of general security and daily life is fully implemented and respected in a new state. It is the view of many Yezidis that including Yezidi forces in the security architecture is absolutely necessary, so that our people are empowered to protect their own communities. This is especially true after the ISIS genocide against our civilians.

¹³ “UN Commission of Inquiry on Syria: ISIS is committing genocide against the Yazidis.” UN OHCHR.

¹⁴ “Kurdish security chief: We hold hundreds of ISIS prisoners caught in battle, sleeper cells.” *Rudaw*, January 3, 2017. <http://www.rudaw.net/english/kurdistan/030120172>.

It is common knowledge that Shingal, as a disputed territory, is a flash-point for possible conflict and a location suffering from the presence of competing military groups.¹⁵ All will agree that this has had a tangible effect on the civilian population that lived in the area and seeks to return.¹⁶ Fair treatment of civilians living in Shingal area, with full respect for human rights, and this sort of local security is important to our people.

The KRG has long been a vocal advocate for federalism and the devolution of power to the regional or local levels.¹⁷ I believe this can be an important political principle for Shingal and Yezidi-majority communities, especially if KRG moves toward independence. Local autonomy and administration will go a long way to ensure that minority communities like ours have a voice in our affairs and local administration.

But equally important is Yezidi representation at higher levels. In the current Kurdistan Region Parliament, there are special seat allocations for minorities. Christians have five dedicated seats, as do Turkmens, while Armenians have one seat.¹⁸ The Yezidi population is quite large in Kurdistan, and the Free Yezidi Foundation is adamant that Yezidis should also have a special seat allocation in the parliament. This is true now, and it will be even more crucial in the event of a new state with its capital in Erbil. Yezidis have suffered immensely, and political representation matters. I believe Yezidis should also have five seats in the parliament in Erbil.

Many Yezidis have often felt neglected by governments both in Baghdad and Erbil. Shingal, as a disputed area, was already in a state of disrepair.¹⁹ With the destruction left behind by ISIS terrorists, Yezidis now urgently need training, education, and most importantly, access to economic opportunities. We look to the KRG to pay special attention to our population and ensure that our civilians, especially our survivors, are given every opportunity to begin rebuilding their lives.

¹⁵ Bozarlsan, Mahmut. "Who's fighting whom in Iraq's Sinjar?" *Al-Monitor*, January 9, 2017. <http://www.al-monitor.com/pulse/ru/contents/articles/originals/2017/01/turkey-iraq-kurdistan-who-is-fighting-for-shengal.html>.

¹⁶ Stoter, Brenda. "For many of Iraq's Yazidis, going home is not an option." *Al-Monitor*, June 14, 2017. <http://www.al-monitor.com/pulse/en/originals/2017/06/yazidis-iraq-minorities-sinjar-kkp-pmu.html>.

¹⁷ "PM's speech to Iraqi governors and ministers at economic conference." KRG. August 21, 2008. <http://cabinet.gov.krd/a/d.aspx?s=010000&l=12&a=25271>.

¹⁸ For more information on the parliament, see: <http://cabinet.gov.krd/p/p.aspx?l=12&p=229>

¹⁹ "Sinjar after ISIS: returning to disputed territory." Pax For Peace. June 20, 2017. Press Release. <https://www.paxforpeace.nl/stay-informed/press/press-release-sinjar-after-isis-returning-to-disputed-territory>