



Coalition for Just Reparations
Survivors of conflict related sexual violence in Iraq

June 2019 - December 2021



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New Tactics in Human Rights

New Tactics in Human Rights, a program of the Center for Victims of Torture, emerged as a creator of tactics, a leader of coalitions, and as a center that advocates for the protection of human rights from a unique position – one of healing and of reclaiming civic leadership. Since 1999, New Tactics has created unique resources – organized around the analysis of potential solutions rather than that of specific issues, geographic regions, or target groups – that allow activists to clearly recognize the unique elements of their situation, and to seek promising approaches that have worked elsewhere in order to apply them to new regions or issues. Since the program’s creation, human rights activists from the Middle East and North Africa (MENA) have participated in New Tactics in Human Rights activities, including regional workshops, an International Symposium, web-based discussions, publication development, and more. These activists encouraged New Tactics to provide more focused training and resources in the region. In 2009, New Tactics launched an initiative to support MENA human rights activists. With the generous support of the National Endowment for Democracy (NED), New Tactics has been able to provide training and mentoring in human rights-based advocacy using the Strategic Effectiveness Method for activists since 2016. The campaign featured here was developed as part of this NED-supported work. For more information:

- <https://www.newtactics.org>
- <https://www.cvt.org>

General Overview

Advocacy Goal

By mid-2021, improve the initial bill on Yazidi Women Survivors submitted by the Iraqi presidency to be in line with international standards.

Vision:

In the future, all victims of war and conflict receive compensation, rehabilitation and restorative justice, ensuring ethno-religious communities', particularly Yazidi women's, right to remedy before a competent tribunal.

Human rights-based focus area¹

Non-discrimination, Accountability & Protection

UDHR article

Article 8: the right to remedy by the competent national tribunals for acts violating fundamental right grant by the constitution or by law.

Geographic area

Local, in Iraq.

Advocacy Components²

A challenge for many civil society organizations is distinguishing between being busy with activities and implementing tactical actions that strategically advance an advocacy effort. In order to help organizations better assess how to expend precious resources, this case study offers four action areas that are needed to conduct any advocacy campaign:

- Internal capacity building
- Research
- Mobilization
- Engaging decision-makers

Tactical Aims

New Tactics in Human Rights has defined four primary human rights-based tactical aims: prevention, intervention, restorative, and promotion. This case illustrates the following tactical aim:

- Restorative

Campaign implementation period

June 2019 - December 2021

¹ Source: The information related to these four areas of rights are adapted from and found in Discover Human Rights: A Human Rights Approach to Social Justice Work, The Advocates for Human Rights. The New Tactics Method utilizes: safety and security; non-discrimination; participation; and protection-accountability. NOTE: The rights listed in these four "categories" maybe placed in any area depending upon the context where the right is being violated. For example, Article 23: Right to join trade unions might be placed in "Safety and Security" rather than "Participation" where organizing or joining a union is dangerous.

² The identification of the four action areas outlined in the Legacy Tool comes from the advocacy experience of Mr. Faisal Abu Sondos, former Executive Director of The Royal Conservation Society of Jordan (JREDS). Mr. Abu Sondos has been a New Tactics Method Trainer since 2010 and Lead Method Trainer since 2011. While using the New Tactics Strategic Effectiveness Method in his own organizations' advocacy efforts and coaching other civil society organizations in using the Method he identified these four action areas to assess progress. The benefits and drawbacks regarding the use of technology in each of these advocacy action areas needs examination in relation to the appropriateness for the intended target groups and goals of an advocacy campaign.

Campaign Outcome Statement

As a result of our actions during the campaign period, The Coalition for Just Reparations (C4JR) hopes that the Iraqi parliament will pass legislation to ensure survivors of conflict related sexual violence are provided with a legal basis for reparations.

Background

Since 2003, Iraq has suffered devastating conflict and insecurity. The country witnessed large-scale violence caused by the terrorist group *Da'esh*, also known as the Islamic State of Iraq and the Levant (ISIS). From June 2014, ISIS launched a genocidal campaign against ethno-religious minorities in Iraq. The targeted violence sought to erase the presence of religious minorities in Iraq altogether, and particularly the Yazidis. ISIS decried the Yazidis as devil-worshippers. ISIS executed those who refused religious conversion. This resulted in an estimated 30,000 civilians killed and 55,000 injured. They destroyed countless shrines, churches, temples, and other cultural sites. This also triggered a large-scale displacement crisis with more than 3 million displaced. Ethno-religious communities were particularly targeted, including Yazidis, Christians, Sabeen-Mandaeans, Turkmen, Kaka'i, and Shabaks. This triggered existential threats which continue in Iraq to this day.

The [Coalition for Just Reparations \(C4JR\)](#) is an alliance of Iraqi civil society organizations (CSOs). The coalition represents Iraq's linguistic, ethnic and religious diversity. C4JR is calling for comprehensive reparations for survivors of atrocity crimes perpetrated during the ISIS conflict in Iraq. C4JR draws on international human rights and national law to advance the right to reparations. The coalition seeks to provide a collaborative and safe space where grievances of survivors belonging to all affected groups will be adequately addressed (Yazidi, Turkmen, Shabak, Kaka'i, Christians, Shia, Sunnis and others).

C4JR based the foundation of their campaign for reparations on two important national and international sources:

- Iraqi Governments' consideration of the Yazidi Women Survivors bill proposed by the Iraqi president on April 7, 2019 to provide reparations to survivors of sexual violence and their children, and
- Joint Communiqué between the Republic of Iraq and the United Nations on the Prevention and Response to Conflict-Related Sexual Violence (2016)

These actions gave C4JR an opportunity to assure that gross violations of human rights and serious violations of humanitarian law, including conflict-related sexual violence, committed during the ISIS conflict in Iraq shall be addressed.

This campaign focuses on this problem: "Due to the gross violations of national and international laws committed by ISIS in Iraq the problem of the lack government action on its obligation to provide reparations is resulting in ethno-religious communities, particularly Yazidi women, having their right to remedy before a competent tribunal denied."

Success markers

Success markers are identified so that the campaign team is able to recognize progressive markers for achievement. This way, a campaign can know and demonstrate that they achieved the intended outcome. Success markers are specific and fixed standards of success for outcomes that can be compared with what actually happens after action is taken.

Campaign Outcome Statement:

As a result of our actions during the campaign period, C4JR hopes that the Iraqi parliament will pass legislation to ensure survivors of conflict related sexual violence are provided with a legal basis for reparations.



Enough (a modest success that is realistic to achieve): A draft Law on Reparations for Survivors of Conflict Related Sexual Violence is developed by C4JR to influence the Yazidi women survivors bill (Achieved)



Full Success Marker (a slightly more ambitious success that is realistic to achieve): An improved version of the Yazidi Women Survivors bill (first bill was submitted by the office of the President of Iraq) is passed by Iraqi Parliament (Achieved)



Overflowing (a much more ambitious success that could happen but would be very surprising if it did): A comprehensive national administrative reparations program for all survivors of ISIS conflict in Iraq is adopted and implemented in line with international standards and best practices. [Covering all survivors of ISIS conflict in Iraq not only those committed by ISIS but all parties to the conflict, with a special focus on Conflict Related Sexual Violence and child soldiers.] (Not yet achieved).

Achievements

On 1 March 2021, members of the Iraqi Parliament passed the Yazidi Women Survivors bill. This law, based on the initial bill submitted by the Iraqi presidency in April 2019, delivers long-awaited relief. This relief is provided not only to Yazidi women, but also other survivors belonging to communities targeted by Da'esh/ISIS. C4JR's advocacy efforts played a significant role in this result.

Main campaign components

Advocacy action areas

Internal Capacity Building

This action area requires attention to an organization's capacity to carry out advocacy including commitment, structure, mobilization, leadership and decision making.

Establish a working group on conflict-related sexual violence and women's rights:

The Working Group on Conflict-related Sexual Violence and Women's Rights (Working Group) has been established to facilitate the activities of C4JR in the field of conflict-related sexual violence (CRSV) and women's rights. The working group formulates adequate and viable solutions for reparations for CRSV survivors. The working group submits these solutions to the C4JR Coordinating Committee. The aim of the working group is to address the compensation rights of conflict-related sexual violence survivors.

The Working Group developed its Terms of Reference (ToR) and an initial draft Work Plan by early July 2020. Members meet on a weekly basis to provide inputs on different campaign tactics. Working Group members were selected through a process of self-nomination among C4JR members; these group members are invested in working with conflict-related sexual violence survivors and/or gender issues.

Internal guidelines developed concerning: 1) ethical engagement with survivors of sexual and gender-based violence and 2) a media checklist:

Ethical Engagement

The Working Group developed [guidelines](#) based on an online workshop on ethical interaction with survivors (8-9 June 2020). The attendees discussed humanitarian and journalistic ethics within the context of C4JR's work. As a result, guidelines were adopted by C4JR in March 2021 to govern members' engagement with survivors in C4JR related work.

Media Checklist

In addition, C4JR adopted a "[Checklist for Media Involvement](#)" as a more practical document to guide their engagement with media requests. This was especially important to consider as part of C4JR's efforts to place the well-being and preferences of survivors' front-and-center of its activities.

Both of these internal capacity building efforts work to create an ethical and safe environment for survivors to have a say on what matters to them. This is an utmost priority for the Coalition.

Research

This action area requires attention to gathering information, data, and analysis to develop recommendations for actions on an issue and regarding each of the other components (internal capacity building, mobilization and engagement of decision makers) before, during and after taking action on an issue.

The campaign needed detailed information in order to provide viable recommendations for reparations to address survivors of conflict related sexual violence in Iraq.

The implementing team conducted a survey to collect detailed information on reparation measures deemed necessary by different local civil society organizations (CSOs). The survey provided information on how to address the harm done to victims of the human rights violations during the ISIS conflict in Iraq.

The survey also provided an opportunity to collect information on the preferred internal structure and decision-making processes of the coalition and proposals for future activities of C4JR.

The [survey](#), which took place between July and September 2019 provided important guidance to both C4JR and reparation efforts by:

- Identifying core elements that prospective reparation programs should include in order to be accepted and perceived as just by the affected communities and individuals;
- Serving as the foundation to develop a position paper on reparations. This provides one of the blueprints to guide and measure forthcoming State efforts seeking to provide reparations to victims.

Mobilization

This action area requires attention to engaging and bringing together individuals, organizations and institutions in a collective effort on an issue.

Position paper on reparations:

The C4JR [position paper on reparations](#) was utilized to mobilize the coalition to call upon Iraqi authorities (both in federal Iraq and Kurdistan Region of Iraq) to take action. The recommendations emphasized that a comprehensive and inclusive strategy on transitional justice was required to help heal the wounds of individual victims, their families and communities caused by the barbaric acts of violence.

This position paper on reparations was shared in detail in the opening conference on 6 November 2019 where C4JR was officially presented to media, Iraqi officials and international organizations. Iraqi, KRI, and Federal Members of Parliament were present. The position paper on reparations was presented again in a December 2019 meeting with the Iraqi High Commission for Human Rights.

The position paper on reparations clearly highlights that conflict related sexual violence produced the most harm. This was the most widely

publicized terror strategy of ISIS. The position paper made it clear that this gross violation of human rights must be addressed.

Collaboration on Developing a policy paper:

Between 9 June 2020 and 31 August 2020, a Justice Rapid Response expert worked with C4JR and their Working Group on Conflict-related Sexual Violence and Women's Rights to draft a policy paper on reparations. They worked to outline in detail the next steps required to ensure implementation for the draft law "Reparations for Survivors of Conflict Related Sexual Violence Committed during the ISIS Conflict in Iraq".

Collaboration with United Nations Assistance Mission for Iraq (UNAMI) and International Organization for Migration (IOM) to promote survivor-friendly solutions.

From the outset of this campaign, C4JR collaborated closely with UNAMI and IOM. IOM provided technical support to Iraqi Members of Parliament (MPs) in the area of reparations for conflict related sexual violence survivors. These organizations provided C4JR with names and contacts for MPs and other officials that were sensitized about reparations. IOM continued to update C4JR with a rough timeline for when the government and parliament would be taking action on legislation. This helped C4JR avoid missing the window of opportunity to improve the current working version of the bill being discussed by the MPs.

Engaging Decision Makers

This action area requires attention to understanding and applying power dynamics and decision-making processes to positively affect change on an issue.

Draft law - "Reparations for Survivors of Conflict Related Sexual Violence Committed during the ISIS Conflict in Iraq":

C4JR drafted a law on "Reparations for Survivors of Conflict Related Sexual Violence Committed during the ISIS Conflict in Iraq." This draft law addressed a number of gaps in the Yazadi Women's Survivor bill to address effective and adequate reparations to victims. The draft law built on C4JR's position paper on reparations. C4JR used this draft law to lobby for effective and adequate reparations for all who suffered conflict related sexual violence during the ISIS conflict in Iraq.

C4JR used a "best case scenario" when developing the draft. However, they needed to be realistic and manage expectations of survivors and coalition members because C4JR would have no control over the final law adopted. Many of the draft law provisions proposed by the coalition might be "watered down" in the process of turning the draft law into actual legislation.

The draft law was written with a strong gender lens and provides for gender-sensitive measures regarding reparations. For example, it acknowledges the women survivors who want to keep caring for children conceived through acts of conflict related sexual violence. This might require government assisted relocation to third countries. This gender-

"C4JR doesn't want to speak instead of survivors. We want to inform them, amplify their voice, and be heard alongside them. To make sure this topic is on the agenda and remains there, to provide space for deliberation, collaboration and reflection. Not only with survivors but also with state authorities and international partners. To make available access to good practices, refer to international standards, learn from mistakes and successes of other post conflict initiatives."

Member of C4JR Coordinating Committee

“C4JR has been recognized as partner by international organizations and Iraqi authorities alike. It gained a seat at the table and an opportunity to shape reparations and justice agenda in Iraq. This in itself testifies to the strength and potential of survivors and Iraqi civil society coming together, finding common ground and speaking with one voice.”

Head of C4JR Secretariat

sensitive lens must also be reflected in the implementation of the law that is passed.

Using the policy paper to engage decision makers

This [policy paper on reparations](#) informed the C4JR’s advocacy for passing the draft law. It also served as a roadmap for implementation of the various provisions of the draft law.

The first section of the policy paper provided structure for the draft law proposed by C4JR. It provided suggestions for the implementation of provisions in the various articles of the draft law.

The second section of the policy paper highlighted provisions in the draft law that C4JR can consider clarifying for future advocacy efforts. For example, it indicates promising avenues for improving the bill.

The final section provides a list of suggested next steps and areas for further exploration that C4JR could consider as it promotes reparations for conflict related sexual violence survivors.

Conducted a series of virtual and in-person briefings for Iraqi MPs and other officials:

The policy paper on reparations and the draft law, “Reparations for Survivors of Conflict Related Sexual Violence Committed during the ISIS Conflict in Iraq”, was sent to a number of MPs and other officials. These materials were sent to the Iraqi Council of Representatives via the authorized parliamentary office in Kirkuk.

C4JR organized a virtual briefing for several Iraqi MPs, as well as [in-person briefings for two MPs from Sulaymaniyah](#) in their Sulaymaniyah office. C4JR also [traveled to the Iraqi Parliament in Baghdad](#) to meet MP Saib Khidir. As part of the Yazidi community himself, he was the most engaged MP pushing for the Yazidi Law in the parliament. He was also a significant ally with the secretariat of the Legal Parliamentary Committee.



Figure 1: C4JR organized a virtual briefing for several Iraqi MPs.



Figure 2: C4JR meet MP Saib Khidir.

On December 8th 2020, C4JR organized a virtual conference with the United Nations Assistance Mission for Iraq (UNAMI). In addition to MPs, officials from the Iraqi executive branch participated in the conference.



Figure 3: C4JR organized a virtual conference with the United Nations Assistance Mission for Iraq (UNAMI)

Finally, in December 2020, C4JR representatives participated in an IOM facilitated workshop with Iraqi MPs on developing the final draft of the Yazidi Survivors Law. As a result, another meeting was held with MP Saib Khider and an associate in Duhok. C4JR was able insert comments in his draft of the Yazidi Women Survivors Bill. Although it did not address all of the concerns identified by C4JR, the impact was that final version of the Yazidi Women Survivors Bill was significantly improved.



Figure 4: C4JR representatives participated in an IOM facilitated workshop with Iraqi MPs on developing the final draft of the Yazidi Survivors Law

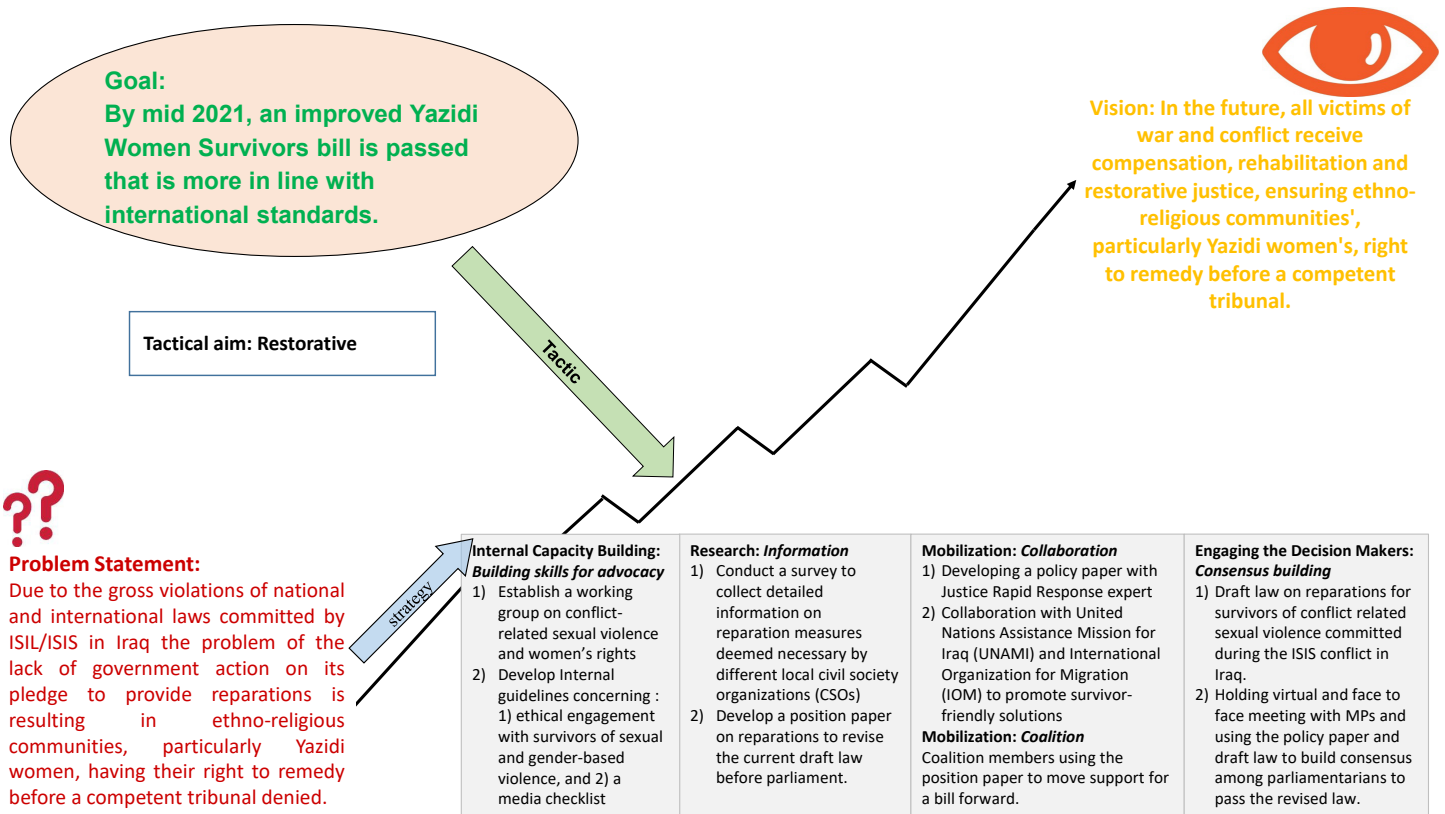


Figure 5: The writing in red is the problem is at the bottom of the mountain, where we are today and which addresses the right that is being violated. The vision is the writing in yellow which goes beyond the mountain as we seek a world where the violated right is one that is being realized. What is written in green, is the SMART goal which is what the campaign is trying to achieve through the implementation of all the six tactics listed in the black boxes on the same image.

Open Letter to Alice Wairimu Nderitu, the UN Special-Adviser on the Prevention of Genocide:

The Working Group also wrote an [open letter](#) to Alice Wairimu Nderitu, the UN Special-Adviser on the Prevention of Genocide in December 2020. The letter sought to strengthen Iraq's capacity to prevent genocide in the future by advocating for reparations. C4JR requested her support in writing a report on the nexus between the non-repetition of genocide and reparations.

On 9 December 2020, Alice Wairimu Nderitu mentioned C4JR's work in her key note speech at the UN event to mark the International Day to Commemorate the Victims of Genocide. C4JR is currently working to arrange an in-person meeting during her visit to Iraq in 2022 to promote the coalition's key messages for reparations for survivors.

Long-Term Impacts

The impact of advocacy on the organization

"So many opportunities are made possible with passage of the YSL; opportunities for holistic justice for survivors; so many doors may be opened. However, without the consistent engagement of the survivors and civil society and international organizations on making these a reality they will remain only opportunities and the doors will remain closed".

Member of Women's Legal Assistance Organization (WOLA)

C4JR continues working on this campaign even after the Yazidi Women Survivors Bill was passed into law. C4JR believes that this as an important first step. Iraqi MPs took this step toward repairing the harm done to survivors of Da'esh/ISIS crimes in Iraq. However, C4JR's priority is to ensure restorative justice for all survivors of Da'esh/ISIS conflict in Iraq. C4JR will continue to advocate for reparation services envisaged in the new law to reach the intended beneficiaries without delay.

C4JR's coalition has been encouraged and strengthened by this success. However, there remains a great deal more work. This will require finding sufficient financing. Up until now, financing the campaign has been piecemeal and has impacted C4JR's ability to establish a strong presence on the ground.

Additionally, the COVID pandemic and subsequent restrictions took place during the campaign period. This hindered C4JR's ability to work together effectively. Members of the coalition have been overwhelmed and continue searching for funding for implementation of current and future projects of the member NGOs. Coalition efforts are challenging even in the best of times. The coalition will need to find a model of engaging and capitalizing the number and diversity of members without overburdening them. C4JR wants to use the coalition as a platform that all members can use during fundraising and include C4JR activities in their programming.

Fundraising activities for C4JR have been managed by the Jiyan Foundation for Human Rights. This is extremely difficult as only short term funding is available. Whereas longer cycles of 2 to 5 years of funding are necessary for such kinds of coalition activities.

Promoting effective implementation of the Yazidi Women Survivors Bill (YSL):

C4JR participated in a workshop organized by the International Organization on Migration (IOM) in November 2021 to develop a comprehensive application form for survivors. The coalition advocated for United Nations Security Council members to include [reference to the Yazidi Women Survivors Bill](#) in the resolution prolonging the United Nations Assistance Mission for Iraq's (UNAMI) mandate in Iraq. This reference was successfully included in the preamble of the UNSC Resolution.

C4JR also created comprehensive suggestions for implementing the regulations of the Yazidi Women Survivors Bill (YSL). They presented those suggestions while participating in an IOM technical workshop in June 2021 with the relevant working group created by the Government of Iraq.

In June 2021 C4JR launched and implemented C4JR Key 21 Recommendations for ensuring survivor centered YSL implementation. Over the course of 21 days, 21 features/suggestions from the [C4JR Recommendations to the Iraqi Council of Ministers for YLS Implementing Regulations](#) were highlighted daily. This was used to push the Iraqi Government to include them in the Implementing Regulations. This was done by posting it on Facebook and Twitter in different languages.

C4JR organized an event in Baghdad marking 6 months since adoption of the Yazidi Women Survivors Bill. This was [co-organized with a high-level conference on the sidelines of United Nations General Assembly \(UNGA\) session in September 2021](#). C4JR's suggestions for bylaws were not included in the law and the general impression was that the implementation of the law left much to be desired.

Parliamentary elections blocked many planned activities. There continues to be uncertainty in putting a government in place. C4JR is in continued contact with the Directorate for Survivor Affairs and its Director, Ms. Sarab Elias. Ms. Elias participated in C4JR general meeting in July 2021. C4JR is working in coordination with the Directorate to move forward with a public statement asking the Government of Iraq to allocate sufficient funding for the law.

Finally, C4JR created a Survivor Council's as an official body of the coalition. The role of the Survivor's Council is to present suggestions and insights on how to improve activities and establish better liaison with the survivors. It is critical for C4JR's work to establish stronger links with individual survivors, their associations and communities. Currently, these links consist of 7 courageous survivors of different genders from the Yazidi, Shabak and Turkmen communities.

"This success story is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of Jiyan Foundation for Human Rights and do not necessarily reflect the views of USAID or the United States Government."