



seed foundation
Social Educational Economic Development



Yezidi Female Survivors' Law

| Recommendations for Developing Implementing Regulations

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1. The regulations should clarify the scope of the law in terms of recognized beneficiaries and their eligibility for specific provisions.

The implementing regulations must specify who is an eligible survivor and the reparation benefits and services to which they are entitled. In particular, the eligibility parameters in Article Two should be clarified under the broadest possible interpretation of the law. The regulations should use consistent language around recognized beneficiaries, remediate any discrepancies or contradictions in the law, establish the applicability of all provisions to all survivor groups identified under the law, and ensure that the right to remedy is applied in a non-discriminatory and survivor-centered manner.

The regulations should:

- Recognize the following survivor categories as beneficiaries based on Article 2:
 - » Yezidi female survivors (women, girls) [Clause One]
 - » Christian female survivors (women, girls) [Clause Two]
 - » Turkmen female survivors (women, girls) [Clause Two]
 - » Shabak female survivors (women, girls) [Clause Two]
 - » Yezidi male and female child survivors under age 18 at the time of abduction [Clause Three]
 - » Yezidi male and female survivors, both adults and children, of mass killings and eliminations [Clause Four]
 - » Christian male and female survivors, both adults and children, of mass killings and eliminations [Clause Four]
 - » Turkmen male and female survivors, both adults and children, of mass killings and eliminations [Clause Four]
 - » Shabak male and female survivors, both adults and children, of mass killings and eliminations [Clause Four]
- Delineate the below recognized financial, health, and material benefits:
 - » Monthly salary [Article 6, Clause 1]
 - » Residential plot of land with a real estate loan or one free housing unit [Article 6, Clause 2]
 - » Right to return to study and exemption from school age requirement [Article 6, Clause 3]
 - » Public employment at a 2% rate [Article 6, Clause 4]
 - » Medical and psychological rehabilitation services [Article 4, Clause 2; Article 5, Clauses 2 and 6]

2. The regulations should specify the scope of care, delivery structures, and accessibility of necessary health services for survivors, particularly specialized medical and psychological rehabilitation services.

The law commits the government to provide survivors necessary medical and psychological rehabilitation services (Article 4, Clause 2 and Article 5, Clause 2). As such services are a top priority for survivors, the regulations must delineate the precise scope of care and arrangements for delivering medical and psychosocial rehabilitation services.

The regulations should:

- Define the following services:
 - » Comprehensive medical services;
 - » Specialized, trauma-informed mental health and psychosocial support (MHPSS) services, in line with available resources.

- Identify the entities charged with providing these services:
 - » Existing or new medical care providers operated by the Government of Iraq or the Kurdistan Regional Government that are sufficiently and consistently staffed and resourced with earmarked funding;
 - » Existing or new psychological rehabilitation service providers operated by the Government of Iraq or the Kurdistan Regional Government that are sufficiently and consistently staffed and resourced with earmarked funding.
- Ensure adequate geographical coverage and concentration of medical and MHPSS services in areas with high-density survivor populations, and make services easily accessible to in-camp and non-camp survivors, including facilitating transportation and related costs, to maximize the reach of the program.
- Prioritize survivors' access to care inside and outside of Iraq.

3. The regulations should elucidate the operations, duties, and coordination mechanisms for all implementing institutions, including the Directorate and Committee.

The regulations must provide comprehensive details on the precise roles, responsibilities, funding, and operational structures of the General Directorate of Yezidi Female Survivors' Affairs and the Committee that will be established under the Yezidi Survivors' Law. Regulations should explain how these entities will coordinate with existing government and non-government institutions dedicated to serving survivors.

The regulations should:

- Clarify the Directorate and Committee's respective responsibilities [Articles 3, 5, and 10].
 - » Establish an administrative structure for the Directorate and sub-offices, specifying how they will be managed and funded to ensure that services and benefits are readily available and easily accessible to survivors.
 - » Establish a fair, representative process to appoint the head of the Directorate and all other personnel for the Directorate, sub-offices, and Committee.
 - » Commit the Directorate to a specific timeline and locations for opening sub-offices, prioritizing areas with a high concentration of survivors, including the Kurdistan Region and Sinjar, to ensure access to all survivors.
 - » Clarify the mandates and coordination between the Directorate and the Committee, where the Committee defines eligibility and evaluates cases and the Directorate is responsible for processing and distributing benefits.
 - » Assign full-time, dedicated Committee members and trained, professional support staff to process and approve applications in a timely and efficient manner.

4. The regulations should establish an accessible, survivor-centered, and trauma-informed application process and an accountable system for distributing benefits to survivors at every stage of the reparations program.

The implementing regulations must establish survivor-centered and trauma-informed processes and mechanisms that maximize protection and accessibility and avoid re-traumatizing, harming, or placing undue burden on survivors. Application and distribution processes should be accessible, non-discriminatory, fair, efficient, and transparent, while guaranteeing survivors' confidentiality, consent, safety, and dignity without stigmatization, exploitation, manipulation, or abuse. To uphold these principles, the reparations process must have strong monitoring and oversight procedures, as well as a responsive and effective complaint mechanism to ensure accountability.

The regulations should:

- Guarantee robust confidentiality, privacy, and protection mechanisms to preserve the anonymity, agency, and safety of survivors in pursuing reparations.
- Establish an impartial, accountable, and confidential mechanism to register and respond to complaints about mistreatment, abuse, exploitation, and discrimination in the implementation of the law.
- Apply reasonable presumptions of eligibility, establish an application process and evidentiary standards that do not re-traumatize survivors, and prohibit the use of invasive, violating methods of investigation and verification, including mandatory disclosure of details of sexual violence.
- Clarify the format and scope of the interview before the Committee [Article 10, Clause 4].
 - » The interview must be private, confidential, brief, and non-interrogative, and conducted in the language preferred by the survivor.
 - » The scope of the interview should be limited to verifying the survivor's identity and application documents; the survivor must not be required to disclose unnecessary details, particularly regarding sexual violence.
 - » The survivor should have the option to choose between in-person and online interviews to ensure equitable accessibility to all, including those outside of Iraq and persons with disabilities.
 - » The survivor should have the right to choose a trusted advocate to accompany them to the interview.
- Provide clear instructions on the application mechanism.
 - » Establish a secure electronic platform for receiving applications and tracking the status of those applications, and consider electronic copies of all documentation legally valid.
 - » Survivors should have the option to submit their applications online, in-person, or with the assistance and support of a survivor-selected proxy.
 - » Survivors should receive a confirmation code to track the progress of their application online, regardless of the mode of submission.
 - » The application template should be short, clear, standardized, easy for the survivor to understand, and available in multiple languages.
 - » The application template should clearly and visibly specify all required supporting documentation. One government-issued identification document (e.g., Unified National Card, Civil Status Identification Card, Passport, or another government-issued verification document when any of the previous documents are not available) should be sufficient for verification purposes.
 - » The application should permit flexible standards of supporting documentation to corroborate survivors' stories, including any existing records from the Government of Iraq, Kurdistan Regional Government, United Nations agencies, and/or local or international civil society organizations.
 - » Applications should allow survivors to prioritize or rank available reparations based on individual need or preference.
 - » Applications must be free of charge.



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