



LEGACY OF TERROR

THE PLIGHT OF YEZIDI CHILD SURVIVORS OF ISIS

AMNESTY
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Cover photo: A Yezidi boy survivor in the village of Sharia in Dohuk governorate. 20 April 2019.
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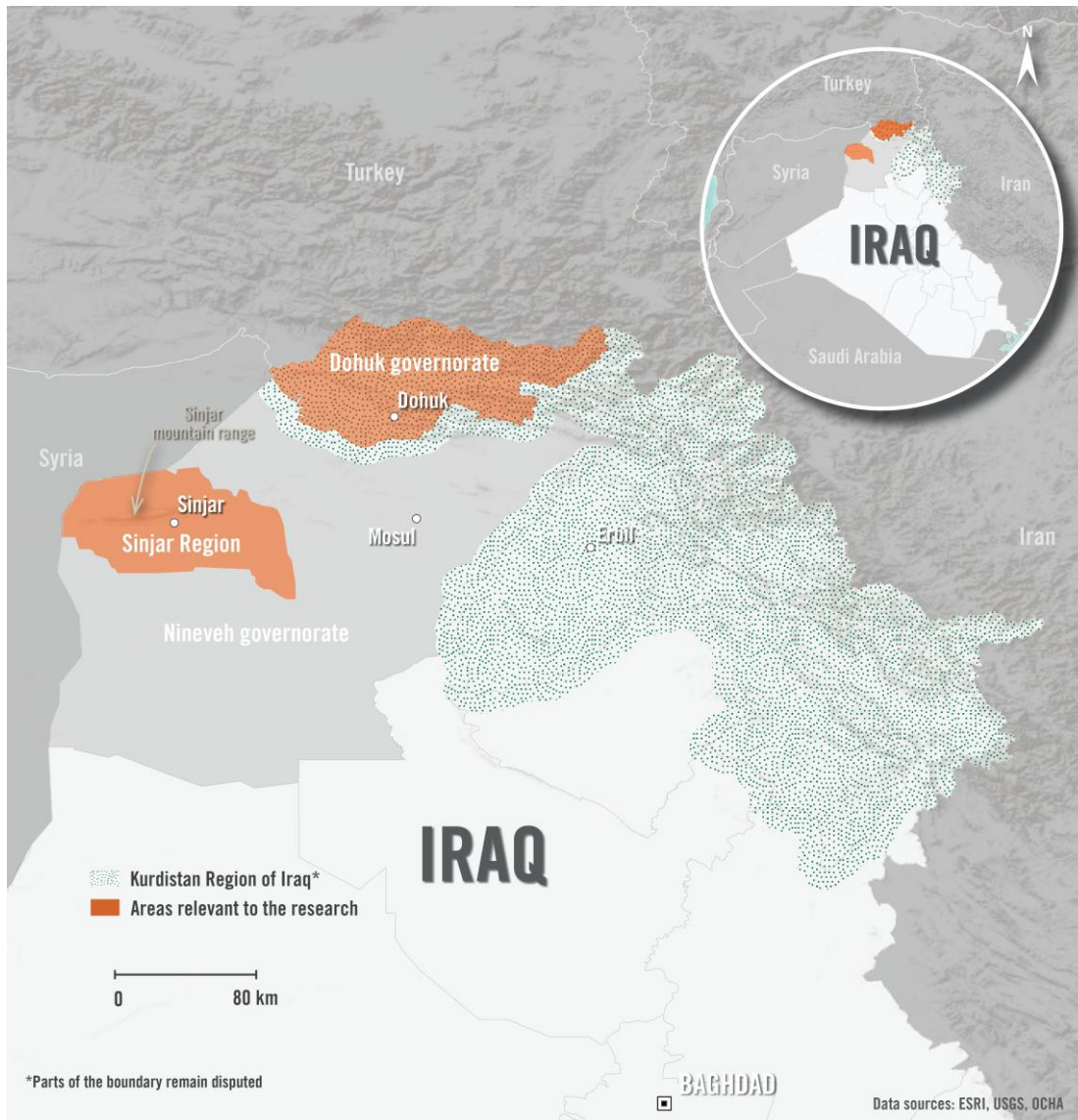
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MAP



1. EXECUTIVE SUMMARY

“I will never forget what happened to me. It is a part of me, like a mark. It’s there forever. It’s the worst thing that can happen to any human, the most degrading. When I came back... no one gave me any support, no one put out their hand. What I was looking for is just someone to care about me, some support, to tell me, ‘I am here for you.’ Someone to put their hands on my shoulders and say everything will be ok... This is what I have been looking for, and I have never found it.”

Sahir, who was forcibly recruited by IS at the age of 15.

Between 2014 and 2017 the armed group calling itself the Islamic State (IS) committed war crimes and crimes against humanity against the Yezidi community in Iraq. A UN Commission of Inquiry concluded in 2015 that IS committed acts against the Yezidi community that amount to genocide. Yezidi children were abducted by IS and enslaved, tortured, forced to fight, raped and subjected to other egregious human rights violations. While thousands of children were killed or abducted, hundreds survived and returned to their families in Iraq. Yet their homecomings have not marked the end of their suffering.

Upon returning to their families and community, these child survivors face significant challenges. Their physical health is often severely compromised; many experience mental health conditions; they sometimes cannot speak or even understand the dialect of Kurdish spoken by their families; many are unable to re-enrol in school after missing several years; and they face barriers to obtaining new or replacement civil documents, which in Iraq are essential to exercising basic rights and receiving key benefits.

Yezidi women who were abducted by IS and gave birth to children as a result of sexual violence likewise face difficult challenges. Many of them have been forced to separate from their children due to religious and societal pressures and are in a state of severe mental anguish.

Under international law, all children have the rights to health, education, legal identity and family unity without discrimination. Children who are victims of violations of human rights and international humanitarian law are entitled to full reparation. Amnesty International’s research shows that the authorities of the Iraqi central government and the Kurdish Regional Government (KRG) are falling short of their obligations to respect and guarantee these rights and ensure reparation for Yezidi child survivors. Without a drastic shift in policy and priorities by national authorities, with the assistance of the international community, these children will continue to face the legacy of IS’s crimes without the support they need and to which they are entitled.

The national authorities and international community must also act urgently to reunite women with their children born of sexual violence, prevent future separations and prioritize these women and children for resettlement or humanitarian relocation.

The research for this report was carried out between February and July 2020. Amnesty International delegates undertook field research in the Kurdistan Region of Iraq (KR-I) from 17 to 27 February 2020. During this mission, delegates conducted interviews with families living in and nearby two camps for internally displaced persons, located in Dohuk governorate in the KR-I. The remainder of the research was carried out through remote interviews using virtual means. In total, Amnesty International interviewed 29 survivors taken captive by IS as children, 25 family members who care for child survivors and 68 other individuals, including staff members of local and international non-governmental organizations (NGOs); UN officials; government officials; doctors, psychologists and psychotherapists who have treated or worked with Yazidi child survivors of IS captivity; and journalists and experts with specialized knowledge of the Yazidi community.

On 7 July 2020, Amnesty International communicated the key findings detailed in this report in letters addressed to Iraqi Prime Minister Mustafa Al-Kadhimi, President of the Kurdistan Region Nechirvan Barzani and Prime Minister of the Kurdistan Region Masrour Barzani and requested these authorities to provide a response. On 23 July 2020, KRG International Advocacy Coordinator Dr. Dindar Zebari responded on behalf of the Kurdish Regional Government. Amnesty International has incorporated parts of the KRG's response into the report body and included the entire response in Annex II. No response had been received from the Iraqi central government as of 24 July 2020, when the report was finalized.

CHALLENGES FOR CHILD SURVIVORS

Many child survivors return to their families having been starved, tortured or forced to endure or participate in hostilities. In many cases, these experiences have a major impact on their health. While some children return with treatable conditions such as anaemia or scabies, others have debilitating, long-term injuries, illnesses or conditions. As a result of their involvement in fighting, boys who were forcibly recruited by IS are especially likely to suffer from serious health conditions and physical impairments, such as lost arms or legs during fighting. Girl survivors of rape and other sexual violence suffer unique health issues, including traumatic fistulas; scarring; and difficulties conceiving, during pregnancy or giving birth to a child.

The majority of child survivors and caregivers interviewed, as well as many humanitarian workers, said that the health needs of child survivors are not currently being met, particularly with regard to long-term, serious health conditions and injuries. The case of Rayan, who was forcibly recruited by IS at the age of 15, is typical. "I was guarding the front lines [and] I was injured by an artillery [shell]," he explained. "My right leg got a big piece of shrapnel in it, in my hamstring... This shrapnel is just sitting in my body. It's almost three years since I am back, and there is nothing [no treatment]."

Child survivors who return from captivity have endured unimaginable trauma. Almost every caregiver interviewed said that the mental health of the child survivor they looked after had been affected by their time in captivity. While each child's situation is unique, mental health experts have detected some patterns, finding that the most common conditions experienced by Yazidi child survivors include post-traumatic stress disorder (PTSD), anxiety and depression. Symptoms and behaviours often displayed by child survivors include aggression, hyperactivity, flashbacks, recurrent nightmares, bed-wetting, withdrawal from social situations and severe mood swings.

Every humanitarian actor interviewed for this report told Amnesty International that the psychosocial services and programmes currently available to Yazidi child survivors fall short of meeting these children's rights and needs. As a case worker from Yazda, a humanitarian organization that provides assistance to the Yazidi community, said, "It's true that some organizations are working on this, and we are doing what we can, but much, much more is needed by these children." Humanitarian workers and mental health professionals also highlighted the importance of improving the quality of existing services, and transitioning away from the current short-term approach taken by many organizations to a long-term, holistic approach, ideally coordinated under one over-arching strategy.

Humanitarian workers, mental health professionals and caregivers often spoke of particular challenges for two groups of child survivors: former child soldiers and girls who were subjected to sexual violence, among many other human rights abuses. Yazidi boys who were forcibly recruited by IS often faced months or even years of intense propaganda, indoctrination and military training, deliberately intended to erase their former identities, language, history, culture and even names. Upon returning from captivity, their relationships with their family members and community can be fraught with tension, at times rising to threats and harassment against the boys. More than half of the 14 former child soldiers interviewed for this report said they had not received any form of support – whether psychosocial, health, financial or otherwise – after their return.

Yezidi girls suffered a wide range of abuses in IS captivity, including sexual violence. A doctor who has provided medical care for hundreds of Yezidi women and girl survivors told Amnesty International that almost every girl she had treated between the ages of nine and 17 had been raped or subjected to other sexual violence. Yet according to humanitarian workers and other experts, existing services and programmes for survivors of sexual violence have largely neglected girls, focusing instead on women survivors. These experts recommended the urgent establishment of mental health services and psychosocial support to address the rights and specific needs of these girls. Such programmes should respond to all of the abuses that girls suffered in captivity.

Many child survivors experience significant language barriers upon return, which can prevent them from reintegrating into their families and community. While some children managed to maintain fluency in the Kurmanji dialect of the Kurdish language most commonly spoken by their families, others are unable to speak or even understand Kurmanji Kurdish when they return from captivity. Most of these children now speak Arabic as their primary language. Humanitarian actors as well as the child survivors and caregivers interviewed for this report said there were no specific resources available to help them address and overcome these language challenges.

Child survivors experience barriers to accessing education. Although many displaced children in Iraq are unable to access education, Yezidi survivors face particular challenges, as they have almost always missed one or more years of schooling during captivity. Government authorities and international and national NGOs have taken steps to reincorporate them into the education system by establishing programmes for accelerated learning. Many child survivors, however, are not registered in such programmes, either because they are unaware they exist or because such programmes can only be accessed by dealing with burdensome levels of bureaucracy involving extensive paperwork and the need to approach multiple government agencies. As a result, many child survivors opt out of the education system entirely.

Yet, according to several mental health experts interviewed for this report, attending school is essential in helping child survivors overcome the trauma they face as a result of their captivity. Nahla, a 16-year-old survivor, explained the importance of school in her reintegration: “After I returned back to school, things became more normal, and I felt better. You need school to have a future.”

Child survivors also face significant barriers to obtaining new or replacement civil documentation, such as identity cards, residence cards, ration cards and birth certificates. In Iraq, such documentation is essential to exercise human rights such as freedom of movement and access to education. Child survivors and their caregivers said that the process to acquire these civil documents was costly, time-consuming and often involved travel to areas they perceived as unsafe, such as Mosul or Sinjar.

CHALLENGES FOR FAMILY MEMBERS OF CHILD SURVIVORS

Parents and other family members caring for children who have returned after IS captivity told Amnesty International that they were struggling to meet the needs of these children. Many Yezidi families are impoverished – in part, in many instances, because they were forced to pay thousands or tens of thousands of dollars as ransom to secure the release of these children and other family members from IS captivity. Humanitarian workers also noted the absence of programmes to educate parents and other caregivers about what their children are going through, or on how to help their children adjust after they return from captivity.

In light of the many challenges they face in reintegrating and caring for child survivors, several caregivers expressed despair at their situations. For instance, Arzan, whose 14-year-old son she said has fits of rage, hyperactivity and aggressive tendencies, told Amnesty International: “At the beginning, I was dreaming of him coming back to me. Then when he came back, I couldn’t have one normal meal with him, not one normal moment... It cannot get worse than this.”

The situation of Yezidi women who gave birth to children as a result of sexual violence by IS requires the urgent attention of the national authorities and the international community. As a result of IS’s policies of systematic rape and sexual enslavement, Yezidi women gave birth to hundreds of children during their captivity. Due to many factors, including the stance of the Yezidi Supreme Spiritual Council and the current legal framework of Iraq, which mandates that any child of a Muslim or “unknown” father be registered as Muslim, these children have been largely denied a place within the Yezidi community. These women have therefore been forced into either keeping their children but giving up their families and community, or giving up their children but reuniting with their families and community.

According to civil society activists and staff members of local and international humanitarian organizations, the Yezidi community’s response to this issue has been mixed. While many in the community strictly oppose accepting children born of sexual violence, others would be willing to accept them, especially if given a positive signal by religious authorities. Still others feel compassion and sympathy for these women and

children and believe they should be supported, but given the edicts of Yezidism, cannot see a place for them within the community.

Many of these women are in desperate situations, in some cases experiencing severe mental anguish after being forced to separate from their children, and in others, remaining in IDP camps or with IS captors to avoid giving up their children. Several such women interviewed by Amnesty International said they were pressured, coerced and even deceived into leaving their children behind by family members or by individuals or groups who work to reunite captured Yezidi women and children with their families. They also said they were falsely assured that they would be able to visit or reunite with their children at a later stage.

Hanan, a 24-year-old survivor of IS captivity, told Amnesty International: “My uncle was promising on his honour and dignity that whenever I wanted, I would visit my daughter. I went to the orphanage to leave her. When I left her, I was shouting at them, ‘Don’t give my daughter to anyone. I will come back every week, every month – this is temporary!’ When I saw my uncle, his first words were, ‘Forget your daughter.’”

Sana, a 22-year-old survivor of IS captivity, took her daughter with her to an IDP camp, but was forced to give her up after she received repeated death threats. She said: “I took her to the office [of a local NGO], and they said to leave my daughter... They said: ‘We will be the father and the mother for her.’ In that moment, it felt like my backbone broke. My whole body collapsed.”

All of the five women interviewed who were separated from their children said they did not have access to their children, or any way of communicating with or receiving news about them. They also said that they were unable to speak with their families or community about their desire to reunite with their children, due to fears for their own safety.

The trauma these women experience from being separated from their children is therefore compounded by further distress: many were forced to leave their children or were deceived into giving them up; they have no means of contacting them; they have no news of their welfare; they often cannot share feelings of anguish with others in their families or community; they have no psychosocial support on this issue; and they have no help in reuniting with their children and see little prospect of this ever happening.

Several of the women interviewed said they had attempted to commit suicide. Some had tried to do so more than once. All pleaded for the international community and national authorities to act quickly, as they found their current situations unbearable. Janan, a 22-year-old survivor of IS captivity, told Amnesty International: “I want to tell [my community] and everyone in the world, please accept us, and accept our children. We are survivors of IS. Imagine the pain we have seen... I didn’t want to have a baby from these people. I was forced to have a son. I would never ask to be reunited with his father, but I need to be reunited with my son.”

ACTION REQUIRED

The national authorities must ensure that girl and boy survivors, as well as their caregivers, are included in any reparation measures established for Yezidi victims of IS violations. To uphold their obligations to these children, they must also, with the support of donors, international organizations and NGOs, specifically address the health and psychosocial needs of these children; provide language training in Kurmanji Kurdish where necessary; greatly expand and increase access to existing programmes for accelerated learning; remove barriers in obtaining new and replacement civil documents; and provide assistance and education to all those caring for child survivors. For child survivors with disabilities, including physical and psychosocial disabilities, the authorities must ensure access to their full rights without discrimination, which includes the obligation to provide reasonable accommodation.

The authorities of the Iraqi central government and the KRG, working with international organizations and NGOs, must also take specific steps to address the situation of Yezidi women with children born of sexual violence by IS members. Above all, Yezidi women who wish to remain or reunite with their children must be permitted, given assistance and supported to do so, and any future separations of these women and children must be prevented. International organizations such as the UN High Commissioner for Refugees (UNHCR) should cooperate with foreign governments to prioritize and fast-track these women and children for resettlement or humanitarian relocation. Iraqi authorities should amend all relevant Iraqi laws so that Yezidi women with children born of sexual violence have the option to choose the religion under which their children are registered. And international organizations and NGOs should ensure that all women with children born of sexual violence based in refugee camps in Syria are made aware of their rights to remain with their children and are referred to international bodies such as the UNHCR for urgent resettlement.

While the nightmare of IS abduction, enslavement, torture and other abuse has finally ended for Yezidi child survivors and Yezidi women with children born of sexual violence, their hardships have endured. The national authorities must now fulfil their obligations, including through full reparations that provide meaningful, effective and long-term support.



A Yazidi boy sits near a shelter in an IDP camp in Dohuk governorate. 7 August 2014. © Adam Ferguson

2. METHODOLOGY

This report is based on research carried out between February and July 2020. Amnesty International undertook field research in the Kurdistan Region of Iraq (KR-I) from 17 to 27 February 2020. During this mission, interviews were conducted with families living in and nearby two camps for internally displaced persons (IDPs), located in Dohuk governorate in the KR-I.¹ Although at least one subsequent research mission was planned, restrictions related to the COVID-19 pandemic made further travel to Iraq impossible. The remainder of the research was carried out through remote interviews using virtual means.

In total, Amnesty International interviewed 54 Yezidi child survivors and caregivers for this report. This total included 29 survivors taken captive by IS as children, including 11 girls, 16 boys, and two young men who were boys at the time of their abduction; and 25 individuals whose children or other family members had survived IS captivity. Of these 25 individuals, 19 were women and six were men. Of the 19 women, 12 were mothers or grandmothers of children born before they were abducted by IS, one was the sister of a child born before the child was abducted and six were women with children born of sexual violence during IS captivity. Of these six women, five had been separated from their children and one had remained in Syria to avoid being separated from her children.² The ages of the children interviewed ranged from nine to 17 years old. The majority of these interviews were conducted with interpretation from Kurmanji Kurdish to English. The remainder were conducted in English, without interpretation.

In addition to civilians affected by the conflict, Amnesty International interviewed a total of 68 other individuals for this report, including 27 staff members of local non-governmental organizations (NGOs); 10 members of international NGOs; 12 UN officials; four government officials; five independent doctors, psychologists or psychotherapists who have treated or worked with Yezidi child survivors of IS captivity; and 10 experts and journalists with specialized knowledge of the Yezidi community. The majority of these interviews were conducted in English, without interpretation. The remainder were conducted with interpretation from Kurmanji Kurdish or Arabic to English.

Every Yezidi child survivor and caregiver requested anonymity, out of concern for their own security or the security of their family members. As a result, in this report Amnesty International has changed all of their names. To preserve their anonymity, the precise dates and locations of the interviews are not specified, nor whether the interview was conducted remotely or in the KR-I. Key identifying details such as the interviewee's place of origin have also sometimes been omitted. The referenced age of interviewees is from the time of the interview. The names of several staff members of international and national NGOs have also been omitted at their request, in order to preserve their anonymity and ability to work without constraints in IDP camps and other places in Iraq. In most cases, the dates of interviews with NGO staff, medical professionals and other experts have been included.

In advance of each interview, Amnesty International informed interviewees about the nature and purpose of the research, as well as how the information would be used. Oral consent was obtained from the interviewee in advance of the interview. The children and caregivers interviewed for this report were told they could end the interview at any time and could choose not to answer specific questions. Interviewees were not provided with incentives in exchange for speaking.

Amnesty International took precautions to avoid re-traumatizing the children and caregivers interviewed for this report. This was especially important in light of the severe trauma experienced by many Yezidi children

¹ To protect the anonymity of the child survivors and caregivers interviewed for this report, the names of these IDP camps have been omitted.

² Yezidi girls have also given birth to children as a result of sexual violence by IS members, but for the purposes of this report, these girls are included under the category of women. The vast majority of them are also now over the age of 18.

and adults; the lack, for most, of accessible health services, including psychosocial care; and the Yazidi community's specific experience with unethical and exploitative interviewing practices.³ Face-to-face interviews were conducted in settings that were secure, private and familiar to the children and their caregivers. All interviews with children were carried out either in the presence of a caregiver – including parents, grandparents, other family members, or other guardians – or, less frequently, in the presence of a sibling or friend.

For children between the ages of nine and 14, delegates focused on less sensitive issues, such as access to education or experience with language barriers, and ensured that interviews were brief. Delegates allowed and encouraged the children to guide the discussion and did not probe into or dwell upon potentially traumatic details. Delegates also ensured interviews ended on the current situation of the child as well as on more positive topics. For children between the ages of 15 and 17, delegates asked more follow-up questions about the child's experience, but still encouraged the child to guide the discussion and, if there were signs of discomfort or distress, focused questions on less sensitive issues. In addition to clarifying at the interview's outset that they could stop the interview or take a break at any time, delegates also periodically asked children whether they wished to continue. In line with ethical practices for interviewing children, Amnesty International did not ask former child soldiers about their involvement in crimes under international law or other serious human rights abuses.

This report focuses on the challenges and risks faced by Yazidi children who have returned from IS captivity and are living in IDP camps and informal settlements in Dohuk governorate in the KR-I, which is where the majority of the Yazidi community in Iraq now lives. It does not address the situation of child survivors who live in the Sinjar region in the Ninewa governorate. However, humanitarian workers and experts informed Amnesty International that the situation of child survivors in the Sinjar region is similar to that of child survivors in Dohuk governorate and is likely even more dire, considering the lack of services and ongoing hostilities in Sinjar.⁴ The report also does not address the situation of child survivors who left Iraq after they returned from captivity.

This report focuses on Yazidi children who survived IS captivity rather than all children who survived the conflict with IS. This is because the violations to which IS subjected these children were committed on a mass scale and were systematic. Their challenges and needs in the aftermath of the conflict therefore differ, often substantially, from those of non-Yezidi children. Amnesty International has documented the violations and challenges faced by all children who survived the conflict with IS in prior publications.⁵ IS also committed serious violations against other minority groups in Iraq, such as the Assyrian Christians, Turkmen Shi'a, Shabak Shi'a, Kakai and Sabeen Mandaeans, and further research is merited into the needs and challenges faced by their communities in the aftermath of the conflict.

On 7 July 2020, Amnesty International communicated the key findings detailed in this report in letters addressed to Iraqi Prime Minister Mustafa Al-Kadhimi, President of the Kurdistan Region Nechirvan Barzani and Prime Minister of the Kurdistan Region Masrour Barzani and requested these authorities to provide a response. No response had been received as of 24 July 2020, when the report was finalised (see Annex I). On 23 July 2020, KRG International Advocacy Coordinator Dr. Dindar Zebari responded on behalf of the Kurdish Regional Government. Amnesty International has incorporated parts of the KRG's response into the report body and included the entire response in Annex II. No response had been received from the Iraqi central government as of 24 July 2020, when the report was finalized.

³ For more information on unethical practices by some journalists and researchers in interviews with the Yazidi community, particularly survivors of rape and other sexual violence, see Sherizaan Minwalla et al., "Genocide, rape and careless disregard: Media and the problematic portrayals of Yazidi survivors of ISIS captivity", *Feminist Media Studies*, 2 March 2020; Johanna E. Foster and Sherizaan Minwalla, "Voices of Yazidi women: Perceptions of journalistic practices in the reporting on ISIS sexual violence", *Women's Studies International Forum*, Vol. 67, March-April 2018; and Amnesty International, *Escape from hell: Torture and sexual slavery in Islamic State captivity in Iraq* (Index: MDE 14/021/2014, hereinafter: Amnesty International, *Escape from hell*).

⁴ Interviews with humanitarian workers on 10 and 15 February 2020. For more information on the lack of services and ongoing tensions in the Sinjar region, see UNHCR, "Returns to Sinjar district", *COI note on the situation of Yazidi IDPs in the Kurdistan Region of Iraq*, May 2019, pp. 10-11; REACH, *Rapid overview of areas of return: Sinjar and surrounding areas, Ninewa Governorate, Iraq*, 31 May 2018; Tom Westcott, "Iraq's Yazidis return to a healthcare crisis", *The New Humanitarian*, 16 March 2018; Norwegian Refugee Council, "Sinjar: Three years on, Yazidis have nowhere to return", 8 November 2018; European Council on Foreign Relations, *When the weapons fall silent: Reconciliation in Sinjar after ISIS*, October 2018; "Anger and apprehension haunt ruined Sinjar, years after Islamic State ousted", Reuters, 26 February 2019; and Amnesty International, *Dead land: Islamic State's deliberate destruction of Iraq's farmland* (Index: MDE 14/9510/2018).

⁵ See Amnesty International, *The condemned: Women and children isolated, trapped and exploited in Iraq* (Index: MDE 14/8196/2018, hereinafter: Amnesty International, *The condemned*). See also Amnesty International, *At any cost: The civilian catastrophe in west Mosul, Iraq* (Index: MDE 14/6610/2017); Amnesty International, *Children caught in the crossfire of the battle for Mosul suffer horrific injuries and trauma* (Press release, 22 December 2016), www.amnesty.org/en/latest/news/2016/12/iraq-children-caught-in-the-crossfire-of-the-battle-for-mosul-suffer-horrific-injuries-and-trauma/

3. BACKGROUND AND CONTEXT

This section provides a brief overview of the 2014-2017 conflict involving IS in Iraq and then covers IS's August 2014 offensive against the Sinjar region in Ninewa governorate, which at that time was home to more than 400,000 Yazidis. Finally, it addresses the abuses committed by IS against the Yazidi community.

3.1 THE BATTLE AGAINST IS IN IRAQ

The armed group calling itself the Islamic State (IS) emerged in Iraq in 2013. After a year of peaceful protests by mostly Sunni residents against government policies in Anbar, Ninewa and Salah al-Din governorates, clashes involving Iraqi forces, armed groups and local residents broke out in December 2013. The following month, IS took advantage of the violence and instability by seizing the city of Falluja, and by early August 2014, IS had gained control of large swathes of territory in Anbar, Diyala, Salah al-Din and Ninewa governorates. In mid-2014, Iraqi forces and government-aligned militias, with the support of a US-led coalition of states, began military operations against IS.⁶ By December 2014, anti-IS forces had recaptured the territory and population centres held by IS in Iraq, which had once comprised nearly one-third of the country and millions of Iraqis. After more than three years of armed conflict, the Iraqi government formally declared victory over IS in December 2017.⁷ Since that time, IS has continued to launch asymmetric attacks in Iraq, and some experts have warned the armed group may be experiencing a resurgence.⁸

3.2 IS CAPTURE OF SINJAR

On 3 August 2014, IS launched an offensive against the Sinjar region of northern Iraq. At that time, around 400,000 Yazidis, the majority of the world's Yazidi community, lived in Sinjar.⁹ One of Iraq's oldest minority groups, the Yazidis practice an ancient religion that contains elements of Zoroastrianism, Judaism, Christianity and Islam. The Yazidi community, which has suffered centuries of persecution, was subject to

⁶ For more information on the civilian harm caused by the conflict between IS and anti-IS forces in Iraq, see Amnesty International, *Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces* (Index: MDE 14/4962/2016); Amnesty International, *At any cost: The civilian catastrophe in west Mosul, Iraq* (Index: MDE 14/6610/2017); Amnesty International, *Civilians killed by air strikes in their homes after they were told not to flee Mosul* (Press release, 28 March 2017), www.amnesty.org/en/latest/news/2017/03/iraq-civilians-killed-by-airstrikes-in-their-homes-after-they-were-told-not-to-flee-mosul/

⁷ "Iraq Prime Minister declares victory over ISIS", *The New York Times*, 9 December 2017, www.nytimes.com/2017/12/09/world/middleeast/iraq-isis-haider-al-abadi.html

⁸ For more details, see Dylan O'Driscoll and Shivan Fazil, "The resurgence of the Islamic State in Iraq: Political and military responses", *SIPRI*, 9 June 2020, www.sipri.org/commentary/essay/2020/resurgence-islamic-state-iraq-political-and-military-responses, and Hassan Hassan, "Islamic State is back and this time the west is ill-prepared to take it on", *The Guardian*, 24 May 2020, www.theguardian.com/commentisfree/2020/may/24/islamic-state-is-back-and-this-time-the-west-is-ill-prepared-to-take-it-on

⁹ Also known as Yazidi, Ezdi or Eyzidi. Before the events of 2014, the global population of Yazidis was estimated at 700,000, with the vast majority living in and around the Sinjar region. See Raya Jalabi, "Who are the Yazidis and why is ISIS hunting them", *The Guardian*, 11 August 2014, www.theguardian.com/world/2014/aug/07/who-yazidi-isis-iraq-religion-ethnicity-mountains

decades of discrimination and marginalization under the rule of Saddam Hussein and increasingly became a target of Sunni extremists after the US-led invasion toppled the Iraq government in 2003.¹⁰ IS believe Yezidis to be infidels (*kuffar*) and devil worshippers.¹¹

In the IS offensive, hundreds of fighters moved into the Sinjar region. They faced little or no resistance, as the Peshmerga forces, the armed forces of the Kurdistan Regional Government, had withdrawn shortly before the campaign. Tens of thousands of fleeing Yezidis reached the upper plateau of Mount Sinjar, where they were then trapped by IS forces that prevented them from accessing water, food and medical care. On 7 August 2014, at the request of the Iraqi government, American, British, French and Australian forces began airdropping humanitarian aid for the Yezidis on Mount Sinjar. On 9 August, the Yekîneyên Parastina Gel (YPG), Syrian Kurdish forces, opened a corridor that allowed thousands of Yezidis to reach safety. Yet hundreds of other Yezidis – including infants and children – died on Mount Sinjar before this corridor was opened.¹² Elsewhere in Sinjar, IS captured thousands of Yezidis between 3 and 5 August. By 6 August, IS had captured all the villages in the Sinjar region and either killed or abducted the residents, as described below.

3.3 IS ABUSES AGAINST YEZIDIS

Although this report focuses on the challenges and needs faced by Yezidi children who have survived IS captivity, this section addresses abuses committed against Yezidi adults as well as children. This is because, as the UN Independent International Commission of Inquiry on the Syrian Arab Republic has confirmed, the armed group's treatment of adults and children was a part of a single overarching strategy, and the abuses committed against adults and children were therefore often interconnected.¹³

Upon capturing a Yezidi village or family, IS systematically separated women, girls and young boys from men and older boys – typically those perceived to have reached puberty, generally meaning from around age 12.¹⁴ Men and older boys who refused to convert to Islam were summarily killed.¹⁵ Men and older boys who forcibly converted to Islam were transferred to sites in Tel Afar, Mosul and Baaj, where they were forced to work in various jobs, such as construction and digging trenches. Some of these men and older boys were later reunited with their families, and these “converted” families were transferred to Qasr Maharab and Qasil Qio in the Sinjar region and al-Khadra neighbourhood in Tel Afar city, where they continued their forced labour.

By the spring of 2015, IS appears to have decided that these Yezidis' conversion to Islam was false. At this stage, the armed group separated the families living in Qasr Maharab, Qasil Qio and al-Khadra neighbourhood. While the UN and other monitoring organizations have documented cases of women and children being forcibly transferred from these locations to other areas in IS-controlled territory, the fate of the men and older boys is unknown. It is widely believed that they were summarily killed.¹⁶

After their separation from the men and older boys in the first days of the attack, women, children and boys under the age of 12 were forcibly displaced to various holding sites, such as Badush prison outside of Mosul and Galaxy wedding hall in Mosul, where married women were separated from unmarried women and girls.

¹⁰ Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples: Yezidis*, minorityrights.org/minorities/yezidies/. See also Persecution Prevention Project, *Before it's too late – a report concerning the ongoing genocide and persecution endured by the Yazidis in Iraq, and their need for immediate protection*, Yale MacMillan Center, 2019, p. 5.

¹¹ The Yezidi community has been persecuted repeatedly since the Ottoman era as a result of several factors, including: the perception that the religion they practice is “pagan” and has polytheistic elements; the fact that their religion has an oral tradition rather than a written scripture; and the Yezidi religion's worship of the “Peacock Angel”, or *Melek Tawwus*, which has been incorrectly linked to the fallen angels Lucifer and Iblis of the Christian and Islamic traditions, respectively, and has led to the group being mischaracterized as devil worshippers. For more details, see Middle East Research Institute, *The Yazidis: Perceptions of reconciliation and conflict*, October 2017, pp. 7-8; Yazda, *Mass graves of Yazidis killed by the Islamic State organization or local affiliates on or after August 3, 2014*, 28 January 2016, pp. 3-4.

¹² Amnesty International, *Ethnic cleansing on a historic scale: Islamic State's systematic targeting of minorities in northern Iraq* (Index: MDE 14/O11/2014, hereinafter: Amnesty International, *Ethnic cleansing on a historic scale*), p. 26. See also REACH, *Displacement from Sinjar, 3-14 August 2014: REACH overview report*, 2014.

¹³ UN Independent International Commission of Inquiry on the Syrian Arab Republic, *They came to destroy: ISIS crimes against the Yazidis*, 15 June 2016 (hereinafter: UN Commission of Inquiry on Syria, *They came to destroy*). See also Amnesty International, *Ethnic cleansing on a historic scale*, pp. 8-12.

¹⁴ IS assessed whether Yezidi boys had reached puberty in varying ways, such as by checking for underarm hair. According to the UN Commission of Inquiry on Syria, boys who were 12 years old and above were generally grouped with the men. See *They came to destroy*, p. 7.

¹⁵ According to the UN, some victims and witnesses reported that those who converted to Islam were spared, but in some cases, even the men who converted were killed. See UN Human Rights Council, *Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups*, 27 March 2015, p. 6.

¹⁶ UN Commission of Inquiry on Syria, *They came to destroy*, p. 9.

Boys under the age of 12 and girls under nine were generally allowed to remain with their mothers at this stage.¹⁷ At these holding sites, Yazidi women and children were systematically deprived of food, water and medical care, and they endured horrific conditions and severe overcrowding.¹⁸

IS considered all captured Yazidis to be their property. Yazidi women and girls over the age of nine were “purchased” by IS members either directly from the holding sites or from what IS referred to as “slave markets”.¹⁹ After “purchasing” a woman or girl, the IS member received “complete rights of ownership” over her, and he was given permission to “resell, gift, or will his ‘slave’” as he wished.²⁰ While held by members of IS, Yazidi women and girls were typically subjected to sexual violence, including rape and gang rape, as well as regular beatings and other forms of torture.²¹ Many were verbally harassed and denied adequate food and water, and those in domestic settings were often forced to work as domestic servants for their IS captor and his family. While in some rare cases Yazidi women and older girls were forced to marry IS members, the vast majority were treated as chattel, or property to be traded.²²

Younger Yazidi children, including girls under the age of nine and boys under the age of seven, were generally allowed to remain with their mothers after they were “purchased”. During their captivity, IS members beat and tortured many of these children, and, in rarer cases, killed or raped them, often as punishment for their or their mothers’ perceived disobedience. Many were also forced to witness abuses against their mothers, including rape and other sexual violence.²³ Children based in households were often forced to work alongside their mothers as domestic servants.²⁴

Boys under the age of 12 who had been forcibly transferred with their mothers to holding sites were initially allowed to remain with their mothers. However, within weeks, boys between the age of seven and 12 were systematically taken from their mothers and forcibly transferred to IS “institutes” or military camps. Thereafter, boys who reached the age of seven were removed from their mothers and sent to these institutes and camps. At the institutes, Yazidi boys were immersed in the study of Arabic, the Qur’an and other Islamic texts.²⁵ They were also indoctrinated into the ideology of IS, including by exposure to propaganda videos featuring beheadings and violent battles.²⁶ Boys held at institutes were regularly beaten and subjected to other forms of torture, usually as punishment for failures in memorization of the Qur’an and other texts. At military training camps, the boys’ ideological indoctrination was complemented by military exercises and training in the use of weapons and weapons systems such as AK rifles, PK machine guns, rocket-propelled grenades, mortars, rockets and rocket artillery.²⁷ Boys were transferred from these training camps into a

¹⁷ In many cases, unmarried women, girls and married women without children pretended their younger siblings, nephews or nieces were their own children to avoid being placed in the group of unmarried females. Girls and women who were registered by IS as being unmarried were generally purchased by IS fighters within days, while married women remained at the holding sites for longer periods of time, though usually no more than four months, before being sold. IS fighters carried out at least one mass killing of Yazidi women at one of these holding sites, summarily executing women over the age of 60. See UN Commission of Inquiry on Syria, *They came to destroy*, pp. 10-11. See also International Federation for Human Rights and Kinyat Organization for Documentation, *Sexual and gender-based crimes against the Yazidi Community: The role of ISIL foreign fighters*, November 2014, p. 19.

¹⁸ UN Commission of Inquiry on Syria, *They came to destroy*, pp. 11-12.

¹⁹ Starting in 2016, IS held online slave auctions, using the Telegraph application. See “Slaves of ISIS: The long walk of the Yazidi women”, *The Telegraph*, 24 July 2017; and UN Commission of Inquiry on Syria, *They came to destroy*, p. 12.

²⁰ UN Commission of Inquiry on Syria, *They came to destroy*, p. 13.

²¹ For extensive documentation of the rape and sexual violence suffered by Yazidi women, see Amnesty International, *Escape from hell*. For Yazidi boys – whether those detained with their mothers, those who were separated from their mothers and enslaved, or those who were taken to IS institutes or military camps – sexual slavery and rape was not a part of IS’s overall strategy, as it was for girls and women. However, cases of sexual violence against boys have been recorded by the UN and other organizations. See UNHCR, *We keep it in our heart: Sexual violence against men and boys in the Syria crisis*, October 2017; OHCHR, “Iraqi civilians suffering ‘horrific’ widespread and systematic persecution”, 25 August 2014; Special Representative of the Secretary-General on Sexual Violence in Conflict, “SRSG Bangura and SRSG Madenov gravely concerned by reports of sexual violence against internally displaced persons”, 12 August 2014. The true incidence of sexual violence against boys is likely to be much higher than indicated by these recorded cases, as such violations are almost never raised by survivors due to the stigma attached. Further research on this topic is needed.

²² For more details on IS policy with regard to sexual slavery, see “The Revival of Slavery Before the Hour”, *Dabiq Magazine*, October 2014; Daesh Research and Fatwa Department, “Question and answers on taking and capturing slaves”, cited in Global Justice Center, *Daesh’s gender-based crimes against Yazidi women and girls include genocide*, 7 April 2016; and Rukmini Callimachi, “ISIS enshrines a theology of rape”, *The New York Times*, 13 August 2015, www.nytimes.com/2015/08/14/world/middleeast/isis-enshrines-a-theology-of-rape.html

²³ The prohibition of torture and other ill-treatment is not limited to severe physical pain and suffering. It also prohibits the intentional infliction of severe mental pain. Being forced to witness acts of torture therefore amounts to acts of torture or other ill-treatment. See Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 1.

²⁴ The information in this paragraph is drawn from the UN Commission of Inquiry on Syria, *They came to destroy*, pp. 16-17, as well as from an interview with an expert on IS violations against Yazidi children in February 2020.

²⁵ Interviews with seven child survivors in February and May 2020. According to Yazidi boys held at these institutes, some Yazidi boys were held only with other Yazidis, while others were mixed with non-Yazidi boys.

²⁶ See International Centre for Counter-Terrorism, *ISIS child soldiers in Syria: The structural and predatory recruitment, enlistment, pre-training indoctrination, training, and deployment*, February 2018, p. 25.

²⁷ Interviews with three former child soldiers in February and May 2020. See also Gina Vale, *Cubs in the lions’ den: Indoctrination and recruitment of children within Islamic State territory*, International Centre for the Study of Radicalization, July 2018.

variety of roles, depending on the needs of IS at a given time, such as manning checkpoints, fighting on the front lines and being used as human shields.²⁸

Other crimes committed by IS against the Yazidi community include the destruction of several important Yazidi temples and shrines and the looting and destruction of Yazidi homes.²⁹ An extensive retrospective survey has calculated that in August 2014 alone, IS killed 3,100 Yazidis and abducted 6,800 more. According to this survey, children under the age of 14 made up 33.7% of the total abductees.³⁰ According to *Al-Monitor*, the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) stated at a Baghdad press conference in April 2020 that 73 mass graves of Yazidis have been found in Iraq since 2014, 13 of which have been exhumed.³¹ The Kurdish Regional Government's Office of Kidnapped Yazidis, based in Dohuk, estimated that as of February 2020, 2,884 Yazidi adults and children remain missing. Many of these adults and children are believed to still be in IS captivity.³²



Yezidis who fled their homes in the Sinjar region take shelter at Bajid Kandal IDP camp in Dohuk governorate. 7 August 2014. © Adam Ferguson

²⁸ Yazidi boys were also regularly used as human shields at young ages, even before they entered military training. Interview with expert on IS violations against Yazidi children on 19 February 2020.

²⁹ For more details on IS's destruction of Yazidi cultural heritage, see Benjamin Isakhan and Sofya Shahab, "The Islamic State's destruction of Yazidi heritage: Responses, resilience and reconstruction after genocide", *Journal of Social Archaeology*, November 2019; and Forensic Architecture, "The destruction of Yazidi cultural heritage", 2018, www.forensic-architecture.org/investigation/the-destruction-of-yazidi-cultural-heritage

³⁰ Valeria Cetorelli et al., "Mortality and kidnapping estimates for the Yazidi population in the area of Mount Sinjar, Iraq, in August 2014: A retrospective household survey", *PLOS Medicine*, May 2017. According to the authors of the study, the estimated toll of killings and abductions corroborate the figures reported by local authorities and human rights organizations.

³¹ Saman Dawod, "Iraq to exhume bodies from Yazidi mass graves", *Al-Monitor*, 2 April 2020, www.al-monitor.com/pulse/originals/2020/03/iraq-yazidis-mass-graves-minorities.html

³² Interview on 25 February 2020.

IS CRIMES AGAINST YEZIDIS UNDER INTERNATIONAL LAW

IS's crimes against the Yazidi community amount to war crimes, crimes against humanity and, according to the UN, genocide.³³ Their actions also violated other rights under international humanitarian and human rights law, which include special protections for children.³⁴

War crimes are serious violations of international humanitarian law, committed in the context of an armed conflict, whether international or – as in the case of the conflict from 2014 to 2017 between IS and anti-IS forces in Iraq – non-international. Many of the crimes discussed in Section 3.3 would amount to war crimes, including those violating the prohibitions against “violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture”; “committing outrages upon personal dignity, in particular humiliating and degrading treatment”; the taking of hostages, including through abductions; directing attacks against the civilian population; forcing persons to act against their religious beliefs; pillaging; rape, sexual slavery and other forms of sexual violence; the recruitment and use of children under 15 years old into armed groups or their use in active hostilities; and intentionally directing attacks against buildings dedicated to religion.³⁵

Crimes against humanity are prohibited acts committed as part of a widespread or systematic attack directed against a civilian population as part of a government or organizational policy.³⁶ Based on its own documentation as well as the documentation of other organizations such as the UN, Amnesty International believes that IS fighters and commanders should be investigated for the crimes against humanity of murder; enslavement; imprisonment or other severe deprivation of physical liberty; torture; rape; sexual violence; sexual slavery; persecution; extermination; enforced disappearance; and other inhumane acts.³⁷

The crime of genocide involves the commission of prohibited acts with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group as such.³⁸ Prohibited acts are (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group.³⁹ According to the UN, IS “committed the prohibited acts with the intent to destroy, in whole or in part, the Yazidis of Sinjar, and has, therefore, committed the crime of genocide”.⁴⁰

3.4 THE JOURNEY HOME

The KRG's Office of Kidnapped Yazidis has recorded the names of 3,530 individuals who have returned from IS captivity. This total includes 1,538 adults and 1,992 children.⁴¹ After being held for months or years, Yazidis have managed to escape captivity in a variety of ways. Many have been brought out by a vast network of “smugglers”.⁴² In these cases, a ransom payment is usually required, which is paid to the smuggler, the family holding the Yazidi person captive, a member of IS leadership or a combination thereof.

³³ The European Parliament and the United States Holocaust Memorial Museum also recognize the IS's treatment of the Yazidis as genocide. See European Parliament, “Resolution on the systematic mass murder of religious minorities by the so-called ‘ISIS/Daesh’”, 3 February 2016, and Simon-Skjoldt Center for the Prevention of Genocide, *Our generation is gone: The Islamic State's targeting of Iraqi minorities in Ninewa*, November 2015.

³⁴ ICRC, Customary IHL, Rules 125 and 130; Convention on the Rights of the Child (CRC), Articles 38-39. Iraq ratified the CRC in 1994, and Syria ratified it in 1993.

³⁵ Rome Statute of the International Criminal Court (Rome Statute), Articles 8(2)(c) and 8(2)(e). Under the 2002 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, non-state armed groups, such as IS, are precluded from the recruitment and use of children under the age of 18. Iraq has been a party to the Optional Protocol since 2008, and Syria since 2003.

³⁶ Rome Statute, Article 7(2).

³⁷ Rome Statute, Article 7.

³⁸ Convention for the Prevention and Punishment of the Crime of Genocide, Article II, 1948.

³⁹ Convention for the Prevention and Punishment of the Crime of Genocide, Article II, 1948.

⁴⁰ UN Commission of Inquiry on Syria, *They came to destroy*, p. 31.

⁴¹ Interview with staff member of Office of Kidnapped Yazidis on 25 February 2020. The Office of Kidnapped Yazidis categorizes individuals as “children” if they were under the age of 18 upon their return from captivity.

⁴² Interview with staff member of Office of Kidnapped Yazidis on 25 February 2020. See also Dominique Soguel, “Islamic State: Yazidi minority turns to ‘smugglers’ to rescue their women”, *The Christian Science Monitor*, 12 October 2015, and Yvo Fitzherbert, “The most dangerous job in the world: The smugglers who rescue the women kidnapped by Isis”, *The Telegraph*, 27 August 2016.

Ransom payments for a single IS captive usually range between US\$5,000 and US\$20,000.⁴³ Families can often only afford to pay such ransoms by becoming indebted to family members or other members of the Yezidi community, often several of them. Some Yezidi families have been reimbursed through a fund established for this purpose by the KRG.⁴⁴ However, payments are reportedly subject to lengthy delays and many families say they have not received any reimbursement, months or years after the return of their children or other family members.⁴⁵ This leaves already-impoverished families thousands or tens of thousands of dollars in debt. Six caregivers told Amnesty International that they had not managed to obtain any form of reimbursement for the ransoms they paid for their children or other relatives.⁴⁶

Other survivors made it out of captivity during or soon after battles between IS and anti-IS forces. Some Yezidi boys and young men who served as child soldiers for IS were detained by the Kurdish or Iraqi authorities, and after being identified as Yezidis, transferred back to the community. Other Yezidis directly approached Iraqi and Kurdish forces in the midst of battles, while still others fled with civilians living in IS-held areas and approached camp authorities or Kurdish forces after reaching a safer location or an IDP camp. Some were identified as being Yezidi after reaching camps for refugees or IDPs – particularly al-Hol camp in north-east Syria – whether by camp authorities, organizations or other networks, sometimes based on photos sent by family members.⁴⁷

In some cases, the identification and transfer of Yezidi survivors from IDP camps is fraught with difficulty, as some survivors refuse to identify themselves as Yezidi. Their refusals have different causes, including that these survivors were told by IS, and believed, that they would be punished or killed by their community if they attempted to return, as well as the fact that IS propaganda convinced some of them that that Yezidis are infidels, and they therefore do not wish to return. Women with children born of sexual violence in captivity sometimes refuse to identify as Yezidi because they believe they will be separated from their children.⁴⁸

⁴³ Interviews with six caregivers in February 2020. See also Tom Westcott, “Iraq’s Yazidi survivors fight to start over”, *The New Humanitarian*, 2 September 2019 (reporting that ransom payments are often around US\$10,000).

⁴⁴ Interview with a staff member of the Office for Kidnapped Yazidis on 18 June 2020.

⁴⁵ Interviews with four caregivers in February and June 2020. For more information, see Tom Westcott, “Iraq’s Yazidi survivors fight to start over”, *The New Humanitarian*, 2 September 2019, and Kimberly Dozier, “What happens now to the child soldiers of IS”, *Time*, 23 May 2019.

⁴⁶ Interviews with six caregivers for child survivors in February 2020.

⁴⁷ Al-Hol camp hosts both IDPs and refugees, primarily from Iraq and Syria.

⁴⁸ For more details on the situation of Yezidi mothers with children born of sexual violence, see Section 5.2.

4. CHALLENGES FOR CHILD SURVIVORS

Yezidi children who survived IS captivity face significant challenges. Their physical health is often compromised, sometimes severely, as a result of their time in captivity; they experience mental health conditions; they sometimes do not speak or even understand the Kurmanji Kurdish dialect spoken by their families or caregivers; and they face barriers to accessing education and obtaining their civil documents, which in Iraq are necessary to exercise basic rights such as freedom of movement. Compounding these challenges, the majority of these children now live in IDP camps and informal settlements scattered across Dohuk governorate in the Kurdistan Region of Iraq.⁴⁹ In these camps and settlements, displaced Yezidis face shortages of food and clean water as well as inadequate sanitation infrastructure, and many have trouble affording their most basic needs.⁵⁰

4.1 PHYSICAL HEALTH

“[Her IS captors] had badly hurt her cheek, her head and her stomach. She has a scar on her abdomen from where she was burned. The cousin who was with her said that an IS woman was torturing her, and she did have little scars all over her body.”

Shaha, speaking of her daughter, a five-year-old survivor of IS captivity.⁵¹

Yezidi child survivors experience numerous injuries, illnesses and conditions, both short- and long-term, as a result of their captivity. Many of these children return to their families after experiencing starvation, torture, sexual violence and armed conflict, including through having been forced to participate in hostilities, and these experiences often have a significant impact on their health.

Some of the health conditions are treatable. Doctors who have treated Yezidi child survivors of IS captivity told Amnesty International that many girls and boys emerge with health conditions such as lice, scabies, anaemia and leishmaniasis, a disease that can cause infected sores.⁵² Dr. Nagham Nawzat Hasan, a doctor who has treated hundreds of girl and women survivors, said of these conditions, “We do follow-up treatment,

⁴⁹ International Organization for Migration, *Integrated location assessment II – thematic overview*, October 2017, p. 15.

⁵⁰ UNHCR, *COI note on the situation of Yazidi IDPs in the Kurdistan Region of Iraq*, May 2019, p. 10.

⁵¹ Interview in February 2020.

⁵² Interviews on 19 February and 17 June 2020.

and then there is recovery.”⁵³ Yet while ultimately treatable, even these relatively minor health conditions can be difficult to address, due to their persistence and the fact that one individual may experience many of them at once. For instance, Basima, the mother of a nine-year-old daughter, Samira, and a 12-year-old daughter, Loreen, both of whom survived captivity, described the condition of their health upon return:

*When they came to us, they had insects in their hair... Samira had a bald spot on the back of her head. This was because one family had beaten her head with a piece of glass. She had something wrong with the skin of her cheek... Loreen had a lot of problems. She had big pimples on her legs and her back, like lesions. They had to take out the infections, and then sew up the holes again... When they came, if you saw them, you would have been scared of them. For three or four months we took them to the doctors constantly.*⁵⁴

According to doctors and humanitarian workers, other child survivors return from captivity with debilitating, long-term injuries, illnesses or conditions.⁵⁵ This includes several children interviewed by Amnesty International. For instance, Sami, age 13, was forced to attend an IS “institute” in Syria, where, according to his 24-year-old caregiver and cousin, Amani, he was regularly beaten and subjected to other forms of torture, including being placed naked in a shallow grave for a period of 24 hours. Amani told Amnesty International: “When [Sami] came, he was very sick. He couldn’t use his legs or hands, and he was always weak. We took him to the doctor, and he had an infection in his liver.”⁵⁶ Amani is also the caregiver for her younger brother and sister, both of whom survived captivity and were suffering from serious health conditions. Her sister, Ilhan, age 10, was experiencing severe pains in her legs, while her brother, Hasan, age 15, had developed a blood condition during captivity that required frequent hospital visits and daily medicine.

Nufa, the 50-year-old grandmother of and caregiver for Jalal, age eight, described her grandson’s health upon return. “We don’t really know what happened to [Jalal and his brother],” she said. “Jalal was barely alive when he came out. He had marks from being beaten, and he was always hungry and thirsty. The doctors say that he has a problem with his heart now – some kind of heart disease.”⁵⁷ Like Nufa, several caregivers expressed frustration that they could not precisely determine what caused certain health conditions, usually because the children were too young to explain in detail their experiences in captivity.⁵⁸

Former child soldiers are particularly likely to suffer from long-term injuries and conditions as a result of their involvement in fighting. Khairi Ali Ibrahim, who leads the Eyzidi Organization for Documentation, described the physical state of the dozens of former child soldiers he has interviewed: “Some of them lost parts of their bodies – especially hands or feet – during the fighting, or they had to be amputated... [M]any of them were injured, but not treated, so they will keep these injuries the rest of their lives.”⁵⁹ A psychotherapist with Voice of Older People and Family (VOP-FAM), a local NGO, said that Yezidi boys who were forced to fight with IS “have broken legs, broken arms, fragments of shrapnel and bullets inside their bodies”.⁶⁰

The accuracy of these observations was demonstrated in the cases of several former child soldiers interviewed by Amnesty International. For instance, Rayan, who was 15 years old when he was forcibly recruited by IS, said: “I was guarding the front lines for four or five months. I was injured by an artillery [shell]. My right leg got a big piece of shrapnel in it, in my hamstring. I still have that piece of shrapnel in my leg.”⁶¹ Fadi, a 10-year-old former child soldier, suffered serious injuries during the fighting. Masud, his older brother and caregiver, explained: “Fadi was used as a human shield in Baghouz [in eastern Syria], and he was injured. His foot was injured in three places, and his hand and ear were injured too. He had pieces of shrapnel inside his body, all over his body.”⁶² Fadi is now able to walk short distances, but for longer distances, he uses a wheelchair.

Many Yezidi girls who survive captivity suffer particular health conditions as a result of the rape and other sexual violence to which they were subjected. A doctor who regularly treats girl survivors of sexual violence said that upon their return, they often suffer from sexually transmitted infections and irregular periods.⁶³ Furthermore, according to a paper released by the Essex Transitional Justice Network:

⁵³ Interview on 1 June 2020.

⁵⁴ Interview in February 2020.

⁵⁵ Interviews on 19 February, 22 April, 24 April and 30 April 2020.

⁵⁶ Interview in February 2020.

⁵⁷ Interview in February 2020.

⁵⁸ Interviews with four caregivers in February 2020.

⁵⁹ Interview on 30 April 2020.

⁶⁰ Interview on 24 April 2020.

⁶¹ Interview in May 2020.

⁶² Interview in February 2020. The town of Baghouz was the last stronghold of IS before the armed group’s defeat in 2017.

⁶³ Interview on 17 June 2020.

*The physical impact of sexual abuse is often exacerbated by the violence and degree of aggression that permeates the war context. Physical harm from sexual violence... will, in many cases, result in traumatic fistulas, scarring, difficulties conceiving or carrying a child full-term, as well as complications during birth. All forms of vaginal injury lead to a higher likelihood of contracting a sexually transmitted disease, including HIV.*⁶⁴

The national authorities have taken some important steps to address the health needs of Yezidi child survivors. The KRG, in close cooperation with the UN Population Fund (UNFPA), has established a centre that provides health care, including psychosocial services, for Yezidi women and girl survivors over the age of eight. Two of the 11 girl survivors interviewed by Amnesty International had accessed this centre.⁶⁵ National authorities, international organizations and NGOs have also cooperated to offer other health services for displaced people in Dohuk governorate, including Yezidi child survivors, such as by establishing Primary Health Care Clinics (PHCC) in each IDP camp in Dohuk. These PHCCs provide basic preventative and curative services under the management of the Dohuk Directorate of Health and partner NGOs.⁶⁶

Yet serious gaps in health care remain, particularly for those child survivors who suffer from long-term, serious health conditions or conflict-related injuries. The centre established for women and girl survivors does not provide services for girl survivors under the age of eight or for boy survivors.⁶⁷ Most PHCCs are only open in the morning and are staffed by general medical officers, not the specialists required for many child survivors who suffer from long-term health concerns.⁶⁸

Due to these shortcomings, some child survivors have to seek treatment at public hospitals or private clinics outside of IDP camps and incur out-of-pocket expenses associated with such treatment.⁶⁹ For instance, Nufa, the caregiver for eight-year-old Jalal, who suffered from heart disease that he developed in captivity, said that due to the lack of appropriate health care in the camp, she had been regularly taking him to a private clinic in Dohuk city. "We are treating him with our own money. No one helped us," she said.⁷⁰

Other caregivers said that they were unable to pay the transportation fees to reach these private clinics or public hospitals.⁷¹ Amani, whose brother Hasan, age 15, had developed a serious blood condition during captivity, told Amnesty International: "For two days, we've been waiting to take Hasan to the doctor, but we can't because we don't have enough money for the bus."⁷² And although Rayan, the former child soldier who was injured by an artillery shell, sought medical treatment for months after he returned, he had received no assistance. "This shrapnel is just sitting in my body. It's almost three years since I'm back, and there is nothing [no treatment]," he said.⁷³

Several humanitarian workers shared the view that the health needs of Yezidi child survivors have not been adequately addressed, and said that there was a need for more resources, particularly for those child survivors with long-term health conditions and with physical disabilities.⁷⁴ A member of the Health Cluster for Dohuk called for an increase in "sustainable" health services for Yezidi child survivors, and noted that even before 2014, there was a shortage of doctors in Dohuk governorate.⁷⁵ "We are trying to fill the gaps for [Yezidi child survivors], but it is getting harder and harder," he said. "So much more support is so much needed, at every level."⁷⁶

⁶⁴ Elena Birchall et al., *The International Criminal Court and reparations for child victims of armed conflict*, Essex Transitional Justice Network of the University of Essex, August 2011, p. 14.

⁶⁵ Interviews with two child survivors in February 2020.

⁶⁶ For more details, see Valeria Cetorelli et al., *Health needs and care seeking behaviours of Yazidis and other minority groups displaced by ISIS into the Kurdistan Region of Iraq*, PLOS ONE, 2017.

⁶⁷ Interview with the director of the centre on 17 June 2020.

⁶⁸ Valeria Cetorelli et al., *Health needs and care seeking behaviours of Yazidis and other minority groups displaced by ISIS into the Kurdistan Region of Iraq*, PLOS ONE, 2017.

⁶⁹ Valeria Cetorelli et al., *Health needs and care seeking behaviours of Yazidis and other minority groups displaced by ISIS into the Kurdistan Region of Iraq*, PLOS ONE, 2017.

⁷⁰ Interview in February 2020.

⁷¹ Two interviews with caregivers in February 2020.

⁷² Interview in February 2020.

⁷³ Interview in May 2020.

⁷⁴ Interviews on 19 February, 30 April and 23 June 2020.

⁷⁵ Interview on 23 June 2020. For more details on the shortage of doctors in the KR-I and in the rest of Iraq, see Jennifer Percy, "How does the human soul survive atrocity", *The New York Times*, 8 April 2020.

⁷⁶ Interview on 23 June 2020. The sub-national Health Cluster for Dohuk governorate is a group of humanitarian organizations, including UN agencies and NGOs, which shares information and coordinates the responsibilities of all organizations working on health in the governorate of Dohuk. For more details, see Health Cluster, "Country health cluster / sector dashboard", March 2020, www.who.int/health-cluster/countries/en/



A Yezidi girl survivor at Sharia IDP Camp in Dohuk governorate. 18 April 2019. © Adam Ferguson

THE STORY OF SAHIR, WHO WAS FORCIBLY RECRUITED BY IS AT THE AGE OF 15⁷⁷

In northern Raqqa [in Syria], they took us to an institute. We studied for almost a year and learned the Qur'an and Shari'a. We were 35 boys, all Yezidi, and there were about 80 other children who were the children of the IS members. Of course they treated us differently from the way they treated their children. We were orphans, and they were treating us very badly, telling us, "We killed your family." They were breaking us and putting us down.

It was difficult because some of us couldn't even read and write, and what they were giving us was more than we could do, to memorize it all. If we couldn't do it, the punishment was very severe. They would put us outside in the cold weather, sometimes in the snow, and they beat us constantly. They would beat us with electrical cables... [and] plastic water pipes.

There was never enough food and water. What they gave to us was just enough to keep us alive – to keep us breathing, no more. They were controlling us and watching us. Most of us were so young, and we were scared because we didn't know the area, so we had no way to escape. Even if we tried to run away, they would capture us again. We didn't have anywhere to go.

They selected 15 of us Yezidi children, and they took us to a military camp in Tabqa after the institute.⁷⁸ They were working on our ideology. They were trying to convert us totally, and to get us to forget where we came from, our history, our background, to be 100% converted. They were also working on our bodies, so that we had strong bodies. It was the process, to see who is the strongest, who is ready for fighting. The first thing they taught us was how to use the gun – how to open it, how to shoot, how to hold it. And I was trained on *rashash* [machine gun], the RPGs [rocket-propelled grenades], sniper shooting. I was trained on all of [the weapons]. Then they took us to Jarabulus, to different checkpoints. I was forced to fight. I had to do it or die. I didn't have any other option. It was out of my control. Whenever it comes to our life, of course we choose our life. To survive, I did the fighting.

I was on the motorbike with another IS fighter. We were moving from one checkpoint to another, and some shooting started. I was injured in two places in my body, and I crashed the motorbike. My hand was broken... They took me to [a nearby hospital] and they did an operation on my hand.

At the hospital, I managed to talk to my uncle, and he found a smuggler. This smuggler came and took us to his place, and he gave us to the Kurdish forces. I stayed with them for four days, and then I was taken to Iraq.

It's too much to describe how I felt when I saw my family. I thought this was impossible. I never thought I would come back to my people, my religion, my family. I was so thankful to be back again. I never believed I would come back home again.

When I came back... no one gave me any support. Of course I would like to have psychological support now, I could really use it. It's very important to give other young men and boys psychological support as well. But some of them have lost legs, hands, parts of their bodies, or they have shrapnel still stuck in their bodies. The psychological support alone is not enough for them – they have financial needs and basic health care needs too.

I wouldn't say my hand is recovered, but I can move it and do little things with it. Thank God I still have it.

⁷⁷ Interview in May 2020. This interview has been condensed.

⁷⁸ Al-Tabqa, also known as al-Thawrah, is a city located in Raqqa governorate.

4.2 MENTAL HEALTH

“My son is always so scared, especially at night... He says he sees things, and he sticks himself to me all night. He’s had these problems since his captivity.”

Ghazal, speaking of her son, an 11-year-old survivor of IS captivity.⁷⁹

“Jano is the only one who knows what happened to him... He didn’t even remember us at the beginning. He was very angry when he came. And when we put him in the car, he would cry, because he thought we would sell him.”

Haitham, speaking of his son, a seven-year-old survivor of IS captivity.⁸⁰

Almost every caregiver interviewed for this report said that the mental health of the child survivor they looked after was affected by that child’s time in captivity. The specific impact of trauma varied from child to child, and depended on, among other things, their experience in captivity. However, psychologists, psychotherapists and other mental health specialists with experience working with Yazidi child survivors told Amnesty International that they have detected patterns in these children’s mental health conditions. They reported that these children, many with psychosocial disabilities,⁸¹ are often affected by post-traumatic stress disorder (PTSD), anxiety, depression, identity crises, sleep disorders, attention deficit hyperactivity disorder (ADHD) and obsessive-compulsive disorder (OCD). According to these experts, the symptoms and behaviours exhibited by child survivors can often include: aggression; hyperactivity; hyper-arousal; flashbacks; recurrent nightmares; bed-wetting; withdrawal from social situations; and severe mood swings, often involving fits of rage.⁸²

All of these symptoms and behaviours were discussed by the children or caregivers interviewed by Amnesty International. According to caregivers, child survivors often exhibited several of these symptoms and behaviours at once. For instance, Fahima, the mother of Nazik, age 10, described her daughter’s behaviour upon return from captivity: “I thought she would never get used to us at the beginning. Her behaviour and her mind weren’t as before... She would become very angry. She would even say, ‘You’re not my mother. You are a *kafir* [infidel].’ She wouldn’t allow her siblings to get close to her... Sometimes she is scared when she sleeps. She has nightmares.”⁸³ Fahima felt that, over time, Nazik had become more comfortable with the family and was “doing much better”.⁸⁴ However, she often worried about Serwan, her nine-year-old nephew, an orphan as a result of the conflict:

The situation for Serwan is not good... He was completely brainwashed. At the beginning, when he came back, he was feeling really sad. He is very difficult, and he hasn’t gotten used to us. He wanted to run away to the wilderness and to go back to them [the family he lived with during his

⁷⁹ Interview in February 2020.

⁸⁰ Interview in February 2020.

⁸¹ The Convention on the Rights of Persons with Disabilities (CRPD) recognizes disability as “an evolving concept”, adding that it “results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others”. CRPD, preamble. “Psychosocial disability” is used to describe persons with a variety of mental health conditions, such as depression, PTSD and schizophrenia. The disability relates to the interaction between psychological differences and socio-cultural limits for behaviour as well as the stigma, discrimination and exclusion that society attaches to persons with mental impairments.

⁸² Interviews on 31 January, 18 February, 25 February, 26 February, 24 April, 4 May, 24 May and 18 June 2020.

⁸³ Interview in February 2020.

⁸⁴ Interview in February 2020.

*captivity]. He's forgotten Kurdish... He is still not ok. He always wants to be on his own. If he left this tent, I think he would forget us quickly.*⁸⁵

According to mental health experts, Yazidi boy survivors who were indoctrinated and forcibly recruited by IS are particularly likely to exhibit aggressive tendencies.⁸⁶ For instance, a therapist with the SEED Foundation described her experience working with former child soldiers: “These teenage boys don’t know how to interact any more... [A]ppropriate behaviour has to be modelled for them. They have been taught by IS that they will get their needs met through violence.”⁸⁷ A psychotherapist with VOP-FAM, a local NGO, shared his perception of the roots of these tendencies:

*These [boys] have been treated in a way they shouldn't have. They were being given weapons, holding guns, they have even killed. When they come to Yazidi children who are real children, playing, they look down at them, [thinking] ‘You should be a man – why are you playing in the street?’... Their brains have been wired in a certain way, while the society is telling them something different. And this leads to aggressiveness.*⁸⁸

This psychotherapist also felt that for many Yazidi former child soldiers, these issues were compounded by the fact that they still saw, on an almost instinctual level, their family members as *kuffar*, or infidels, as they had been indoctrinated by IS to believe. “The Yazidis are their enemies,” he explained. “They look down on their own families.”⁸⁹ Lisa Miara, the director of the local NGO Springs of Hope Foundation, shared her experience of working with a group of former child soldiers who arrived in an IDP camp after surviving the battle of Baghouz:

*The boys were so angry to be back. Their identity was torn from them in one second in Baghouz. They are not even returning to Sinjar, to mum and dad, with a house and trees. They are now in Kurdistan, in a 4x3m tent. Most enter into a grieving process. Many learn they have no dad, mother, sister, brother. Grieving isn't just silence and sadness. Grieving can be rage.*⁹⁰

According to some mental health experts, girl survivors of IS captivity often experience depression.⁹¹ For instance, a psychotherapist with a local NGO, who has worked with dozens of girl survivors, said: “Many girls keep to themselves at the beginning. They look pale... [and] they walk really slow. They seem full of frustration. They say they don’t have power in their bodies.”⁹²

These experts pointed out that this depression can be exacerbated by the social isolation experienced by many girl survivors after they return from captivity, especially those who have been subjected to sexual violence. Many such Yazidi women and girl survivors face isolation, whether self-imposed or imposed by families and the community, partly due to the social stigma associated with sexual violence and also because marriage or sexual relations with non-Yezidis – even when stemming from rape – can be an unacceptable transgression of Yazidi religious tradition, punishable by excommunication.⁹³

The Yazidi religious authorities welcomed back all survivors of sexual violence by IS members in 2015, and Yazidi women activists have spoken out about their experiences in captivity and pushed for global action and accountability for perpetrators of sexual violence.⁹⁴ Still, the stigma persists. A psychotherapist with the local NGO VOP-FAM shared his view on the trauma and marginalization faced by many girl survivors: “The main reason is the stigma, because many of them have been raped. They are disconnected socially, they don’t have any connections, and they don’t want to go out. They are isolated.”⁹⁵

The national authorities, in cooperation with local and international NGOs, have taken steps to address the psychosocial needs of Yazidi child survivors. For instance, as noted in Section 4.1, the KRG, in close cooperation with the UNFPA, has established a centre that provides health care, including psychosocial

⁸⁵ Interview in February 2020.

⁸⁶ Interviews on 19 February, 25 February, 24 April and 24 May 2020.

⁸⁷ Interview on 26 February 2020.

⁸⁸ Interview on 24 April 2020.

⁸⁹ Interview on 24 April 2020.

⁹⁰ Interview on 22 June 2020.

⁹¹ Interviews on 24 April, 24 May and 18 June 2020.

⁹² Interview on 24 May 2020.

⁹³ For more details, see Gina Vale, “Liberated, not free: Yazidi women after Islamic State captivity”, *Small Wars & Insurgencies*, Volume 31, No.3, 13 April 2020, p. 515.

⁹⁴ For more details on the position of the religious authorities, see Yazidi Supreme Spiritual Council, “Religious Edict 28”, cited in Gina Vale, “Liberated, not free: Yazidi women after Islamic State captivity”, *Small Wars & Insurgencies*, Volume 31, No.3, 13 April 2020, p. 528, and Susannah George, “Yazidi women welcomed back to the faith”, UNHCR Tracks, 15 June 2015. For more details on the activism of Yazidi women, see “Nobel peace prize for anti-rape activists Nadia Murad and Denis Mukwege”, BBC News, 5 October 2018, and Bojan Pancevski, “Yezidi survivors are key to bringing Islamic State members to justice”, *The Wall Street Journal*, 1 January 2020.

⁹⁵ Interview on 24 April 2020.

services, for Yezidi women and girl survivors over the age of eight.⁹⁶ The KRG, with the support of AISPO, a Milan-based NGO, has also established the Child and Adolescent Mental Health Center (CAMHC), which serves all displaced Iraqis based in Dohuk.⁹⁷ Other services are offered by local and international NGOs, which are usually based out of offices operating in Dohuk city or in IDP camps across Dohuk governorate.

Yet every humanitarian actor interviewed for this report told Amnesty International that the psychosocial services and programmes currently available for Yezidi child survivors do not meet the urgent and overwhelming needs of this group.⁹⁸ They said that for the services to meet the needs of these children, they would need to be drastically increased, offered on a longer-term basis and coordinated under one overarching strategy. As a case manager for the local organization Yazda put it: “It is true that some organizations are working on this, and we are doing what we can, but much, much more is needed by these children.”⁹⁹

Several children and caregivers interviewed for this report echoed these views.¹⁰⁰ For instance, Basima, the mother of Loreen, age 12, and Samira, age nine, wished that her children could have access to mental health care and psychosocial support. She told Amnesty International:

*They are not like our other children... They are like prisoners – they didn't eat enough or speak enough. They really have changed... They didn't have any counselling [after they returned from captivity] ... They need mental support. It would be so useful if they could have counselling. We need someone who really listens to what they say.*¹⁰¹

Several humanitarian workers and caregivers observed that the majority of psychosocial services targeted to the Yezidi community have, to date, focused on women survivors, rather than child survivors. According to Pari Ibrahim, Executive Director of the Free Yezidi Foundation: “For the children who escape IS captivity, you might hear that there is a lot of support, but that's just not true... The world's eyes have not focused on the children. The focus of the international community has been on the women, and not on the children.”¹⁰² Amani, the caregiver for her two younger siblings and nephew, all of whom survived IS captivity, said with frustration: “There is a centre offering counselling for me and for other women, but for the children, there's very little.”¹⁰³

As a case manager for Yazda pointed out, this gap has partly resulted from donor priorities. “Women and sexual violence is the thing for which the community is most known, so this is what donors focus on,” she said. “There is a real need to focus on boys and girls as well. It's easy to ignore because it's not out there... The women made the headlines, and now this is the focus.”¹⁰⁴

Caregivers, government representatives, and humanitarian workers, including mental health specialists, said that while some organizations were providing high-quality, longer-term care, the services available to many child survivors were offered only on a short-term basis. Additionally, they said that many existing programmes relied on inexperienced or insufficiently trained staff members, likely due to the general shortage of mental health professionals in Iraq.¹⁰⁵ For instance, Laylan Salih from the Board of Relief and Humanitarian Affairs (BRHA), a governmental body that was responsible for humanitarian and development cooperation in Dohuk governorate until March 2020, told Amnesty International:

*Those who are providing psychological support for these children are not professionals. The organizations... will come for one or two months, and then leave... Many of these organizations are retraumatizing the children. They are victimizing the victims... These children are traumatized, and it's very difficult to change their mindsets and ideologies. There needs to be a long-term plan to deal with this.*¹⁰⁶

⁹⁶ Interview with director of the centre on 17 June 2020.

⁹⁷ Interview with representative of Health Cluster on 23 June 2020. For additional details on the CAMHC, see Antonia Williams-Annunziata, “Five years on, Yazidis struggle to forget Daesh nightmare”, *The Daily Star*, 21 June 2019.

⁹⁸ For more details on the lack of mental health care professionals and services in Dohuk governorate specifically and Iraq more generally, see Jennifer Percy, “How does the human soul survive atrocity?”, *The New York Times*, 8 April 2020.

⁹⁹ Interview on 27 April 2020.

¹⁰⁰ Interviews with five child survivors and caregivers in February and May 2020.

¹⁰¹ Interview in February 2020.

¹⁰² Interview on 19 February 2020.

¹⁰³ Interview in February 2020.

¹⁰⁴ Interview on 18 February 2020. While the funds allocated by donors to the aftermath of IS's attack on the Yazidis may have largely been focused on Yezidi women survivors of sexual violence instead of child survivors, Amnesty International has found that even these resources targeted for women have been insufficient. For more details, see Amnesty International, *Iraq: Yezidi survivors of horrific abuse in IS captivity neglected by international community* (Press release, 10 October 2016), www.amnesty.org/en/latest/news/2016/10/iraq-yezidi-survivors-of-horrific-abuse-in-is-captivity-neglected-by-international-community/

¹⁰⁵ Interviews on 31 January, 19 February, 24 February, 25 February, 26 February, 17 April, 30 April and 17 June 2020.

¹⁰⁶ Interview on 25 February 2020. A staff member of the KRG's Office of Kidnapped Yazidis in Dohuk echoed this point. “I do not trust the organizations that are doing psychosocial work. There are programmes that last two to three months, without specialists. They might be

Sherri Kraham Talabany, Executive Director of the SEED Foundation, a humanitarian and development organization based in the KR-I that has worked closely with Yezidi child survivors, observed similar shortcomings in the current approach. She told Amnesty International:

*The NGOs generally haven't shown the commitment to the long-term engagement that we need for this. Organizations haven't been able to find good staff, and then they are not here long enough. Their people [are] coming and going all the time... We need long-term efforts to build capacity... These children have a higher level of specialized needs, but the specialized skills are not available.*¹⁰⁷

Khairi Ali Ibrahim of the Eyzidi Organization for Documentation also lamented the short-term approach of the existing services. “[These NGOs] open them up and then drop them, and it makes them worse... What [the children] have faced is so huge. The people who work with these children should be ready to help them recover fully.”¹⁰⁸ A staff member for a local organization echoed this point: “A lot of the boys tell us, ‘Organizations come here and say, tell your story, and then they leave.’”¹⁰⁹ Imad, the caregiver for his 10-year-old nephew, Muhanad, who returned to the family after five years in captivity, agreed. “It doesn’t work for [Muhanad] to go to a centre for one hour, and then he will instantly be better,” he said. “The counselling needs to be consistent.”¹¹⁰

Several humanitarian workers and experts also lamented the lack of coordination between service providers, as well as the absence of a unified, holistic approach to address the psychosocial needs of Yezidi child survivors.¹¹¹ Dr. Jan Ilhan Kizilhan, a psychotherapist and Dean of the Institute for Psychotherapy and Psychotraumatology at the University of Dohuk, set out his vision for the appropriate psychosocial response for Yezidi child survivors: “Many NGOs... have short-term concepts. Short-term will not work in these cases. We need a concept of three years or more, involving teachers, psychologists, social workers, camp authorities and government officials... We need a long-term concept with different types of professionals working together.”¹¹²



Dr. Jan Ilhan Kizilhan meets with residents of Mamrashan IDP camp in Dohuk governorate. 18 April 2019. © Adam Ferguson

harming people more than they are helping them... I've seen high-school graduates who are doing the psychosocial work, and they are making it worse.” Interview on 25 February 2020.

¹⁰⁷ Interview on 30 April 2020.

¹⁰⁸ Interview on 30 April 2020.

¹⁰⁹ Interview on 26 February 2020.

¹¹⁰ Interview in February 2020.

¹¹¹ Interviews on 31 January, 26 February, 24 April, 30 April, 1 May and 24 May 2020.

¹¹² Interview on 17 April 2020. Regarding the lack of coordination between organizations providing psychosocial services, Laylan Saliah of BRHA said similarly, “There are no clear, unified procedures, so the survivors get lost in all of it, and they don’t know who is providing what.” Interview on 25 February 2020.

GIRL SURVIVORS OF IS CAPTIVITY

As of February 2020, the KRG's Office of Kidnapped Yazidis in Dohuk had recorded the names of 1,041 Yazidi girls who have returned from IS captivity.¹¹³ IS subjected these girls to a number of serious human rights abuses, including enslavement, forced labour as domestic servants, beatings and other forms of torture. Many were also forced to witness their male relatives being killed at the point of their capture by IS and their mothers being subjected to sexual violence and other abuse by IS members.

Many girl survivors were themselves subjected to sexual violence including rape. As described in Section 3.3, girls over the age of nine were “purchased” by IS members either directly from the holding sites or from what IS referred to as “slave markets”.¹¹⁴ Dr. Nagham Nawzat Hasan, a doctor whose organization has provided medical and psychosocial care for hundreds of women and girl survivors, noted that almost every girl she had treated between the ages of nine and 17 had been raped or subjected to other forms of sexual violence. “There was no difference between the girls and the adult women,” she said.¹¹⁵ In some cases, girls under the age of nine were also subjected to sexual violence and abuse by IS members. According to an IS pamphlet, Yazidi girls who were had not reached puberty could still be “enjoyed” without intercourse.¹¹⁶

The experience of Yazidi women who were subjected to sexual slavery and sexual violence including rape has been addressed in detail by human rights groups, fact-finding commissions and humanitarian organizations, as well as by the media.¹¹⁷ Yet the experience of Yazidi girls who survived sexual violence has not yet received sufficient attention, particularly in regard to how their challenges and needs after captivity differ from those of women survivors. As described in Section 4.1, survivors of sexual violence suffer particular health problems as a result of their abuse, including but not limited to traumatic fistulas; scarring; and difficulties conceiving, during pregnancy or giving birth to a child.

One expert said that while girls are sometimes included in psychosocial services and programmes for survivors of sexual violence, these services are not tailored to their specific needs as children.¹¹⁸ Amnesty International contacted three local organizations providing psychosocial services for female survivors of sexual violence, and two of the organizations confirmed that girls were not their intended beneficiaries, though their services sometimes still included girls. The other organization said that their services were only available to adult women.¹¹⁹ Dr. Hasan, whose organization does provide psychosocial services for girls, said they were an extremely challenging, but important, group to reach. “It’s very difficult to treat them. They deny what happened... They are often sad, stressed, hopeless. They need more support than any other group,” she said.¹²⁰

¹¹³ Interview on 25 February 2020.

¹¹⁴ Starting in 2016, IS held online slave auctions, using the Telegraph application. See “Slaves of ISIS: The long walk of the Yazidi women”, *The Telegraph*, 24 July 2017, and UN Commission of Inquiry on Syria, *They came to destroy*, p. 12.

¹¹⁵ Interview on 19 February 2020.

¹¹⁶ See Research and Fatwa-Issuing Department, “Questions and Answers on Taking Captives and Slaves” (in Arabic), October/November, 2014.

¹¹⁷ See, for example, UN Commission of Inquiry for Syria, *They came to destroy*, June 2016, and Amnesty International, *Escape from hell*, 2014.

¹¹⁸ Email received from Yazidi expert on 30 May 2020.

¹¹⁹ Interviews on 18 February, 20 February and 4 May 2020.

¹²⁰ Interview on 19 February 2020.

4.3 LANGUAGE BARRIERS

“Many [child survivors], when they come back, have forgotten Kurdish and speak Arabic. This is challenging for family members who don’t speak Arabic, and it’s very difficult for them, not having their own family understand them.”

Case manager for the local NGO Yazda.¹²¹

Many Yazidi child survivors experience significant language barriers after they return to their families and community. Some children – especially those who were abducted for relatively short periods of time or were held captive with their mothers or other family members – emerge still fluent in the Kurmanji dialect of the Kurdish language most commonly spoken by their families. Many other children, however, are unable to speak or even understand Kurmanji Kurdish when they return. In most cases, these children speak Arabic as their primary language. In fewer cases, because some children were held captive by foreign families, their primary language is now one, such as Turkish or English, which is neither spoken nor understood by any of their family members.

This loss of a common language with their family members or other caregivers can pose a serious obstacle in their reintegration. Basima, the mother of two young daughters, described her daughters’ situation when they returned from captivity in 2019: “They looked crazy, and dirty, and they were speaking Arabic. I couldn’t speak with them at all at the beginning, because I don’t speak Arabic. I thought I would lose my mind.”¹²² Amani, the caregiver for her younger sister, age seven, told Amnesty International that because her sister was abducted when she was only one year old, she never learned her native Kurdish dialect. “[S]he thought her parents were the Muslims... She is still not settled, and she doesn’t know many Kurdish words. She will use a few Kurdish words, but she’s always mixing them with Arabic.”¹²³ A case manager for a local NGO provided the example of one of the child survivors he works with, who was struggling to reintegrate with his family: “He was speaking Turkish. This child has returned, and he doesn’t know anybody. His father is not there, his mother is not there, and he is living with his uncle, and he has never met him in his life... It is a new society for him, new people, a new language, and it is really difficult.”¹²⁴

Humanitarian workers as well as child survivors and caregivers interviewed for this report said there were no resources of which they were aware, whether offered by local or international NGOs or by government authorities, to help them address and overcome these language barriers.



A Yazidi boy survivor in the village of Sharia in Dohuk governorate. 20 April 2019. © Adam Ferguson

¹²¹ Interview on 27 April 2020.

¹²² Interview in February 2020.

¹²³ Interview in February 2020.

¹²⁴ Interview on 8 May 2020.

4.4 BARRIERS TO EDUCATION

“They are not going to school. It’s not good. They don’t want to go back, since they would have to start over... I had big hopes for their future. But after what happened, their future is gone.”

Masud, speaking of his younger brothers Mizgeen, age 13, and Fadi, age 10.¹²⁵

“I can’t go to school now. If I go, they will take me three years back... I would have to go back to the second and third grade in high school, where I ended, and that is not possible for me... My future is destroyed. Everything is ruined now.”

Khalid, a 15-year-old survivor of IS captivity.¹²⁶

Access to education has been severely limited for all Iraqi children who were displaced by the conflict with IS. According to the UN, by the end of 2019, approximately 658,000 Iraqi children were still displaced as a result of the conflict, and half of that total, approximately 355,000 children, were not in school.¹²⁷ The UN Children’s Fund (UNICEF) recorded an attendance rate of just 62% at the lower-secondary level for displaced Iraqi students.¹²⁸

In late 2019, the UN Office for the Coordination of Humanitarian Affairs (OCHA) stated, “The educational needs of IDP children are consistently not being met.”¹²⁹ The 2020 Humanitarian Needs Overview for Iraq, produced by OCHA, reported that for displaced students who do attend school, “the quality of teaching and learning is inadequate”, noting that only 14% of displaced children in IDP camps passed the grade six threshold exam required to progress to lower secondary school. They cited as some of the main challenges “insufficient quantity and inadequate training of teachers, shortages of learning materials and large class sizes”.¹³⁰

The UN High Commissioner for Refugees (UNHCR) found in 2019 that school attendance for displaced Yazidi children is particularly limited, often as a result of families’ inability to afford costs related to education and the need for these children to work to support their families.¹³¹ As discussed in Section 3.4, many caregivers for Yazidi child survivors face serious financial difficulties after being forced to pay ransoms, usually in the range of US\$5,000 to US\$20,000, to secure the release of these children or other family members. The financial hardships may impact caregivers’ ability to afford education-related costs as well as the need for children to work to support the family.

¹²⁵ Interview in February 2020.

¹²⁶ Interview in February 2020.

¹²⁷ United Nations Assistance Mission for Iraq (UNAMI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), *The right to education in Iraq: The legacy of ISIL territorial control on access to education*, 17 February 2020 (hereinafter: UNAMI and OHCHR, *The right to education in Iraq*).

¹²⁸ See UNICEF’s Multiple Indicator Cluster Survey (MICS) 2019 data for Iraq, cited in UN Office for the Coordination of Humanitarian Affairs, *Humanitarian Needs Overview: Iraq 2020*, November 2019, p. 43.

¹²⁹ UN Office for the Coordination of Humanitarian Affairs, *Humanitarian Needs Overview: Iraq 2020*, November 2019, p. 14.

¹³⁰ UN Office for the Coordination of Humanitarian Affairs, *Humanitarian Needs Overview: Iraq 2020*, November 2019, p. 43.

¹³¹ UNHCR, *COI Note on the Situation of Yazidi IDPs in the Kurdistan Region of Iraq*, p. 7.

In addition to these challenges, Yezidi child survivors have often missed years of school while in captivity. Since 2014, the authorities of the Iraqi central government and the KRG, in cooperation with the UN and humanitarian agencies, have made efforts to re-incorporate these children into the education system. The Ministry of Education for the KRG (MOE-KRG), in cooperation with UNICEF, has established Accelerated Learning Programs (ALPs), which allow students to complete two years of schooling in one year.¹³²

These ALPs have been established in four IDP camps across Dohuk governorate.¹³³ While they have addressed a critical gap for some students, their reach is still limited in Dohuk, as they are difficult to access for most of the child survivors living outside of these four camps, due to transportation costs and other bureaucratic hurdles, as described below. They are also only available for the primary-level curriculum (referred to as “basic education” in the KR-I), and they are offered exclusively in Kurdish. This can pose a challenge for the Yezidi child survivors who struggle to understand Kurdish after returning from captivity.¹³⁴ The vast majority of child survivors who are no longer fluent in Kurdish speak Arabic as their primary language.¹³⁵

In addition to these ALPs, the Ministry of Education for the central government of Iraq (MOE-Iraq), which is also active in Dohuk governorate, has established a co-ed “School for Youth” in Dohuk city, which served 48 displaced students in the 2019-2020 school year, including 31 boys and 17 girls.¹³⁶ This school also allows students to complete two years of schooling in one year, and its establishment is an important step. However, it also has limitations, as it is also only available at the primary level and its location in Dohuk city means that it is either costly or impossible to attend for many child survivors.¹³⁷

Although they all needed assistance to re-start their educations, only eight of the 29 children and young adult survivors interviewed for this report managed to enrol in one of these options. The majority of the remaining survivors were either unaware of such options or were unable to register due to various bureaucratic hurdles. The eight child survivors who were able to enrol did so only as the result of considerable efforts by their caregivers or humanitarian workers. For instance, Hamo, the father of two daughters who survived IS captivity, described his experience in enrolling his children into the “School for Youth” in Dohuk. “It was really difficult to get them accepted,” he said. “It was a very long process. We had to go to the Directorate of Education and the Genocide Office. There were so many papers from them. It was terrible.”¹³⁸ A case manager for a local NGO told Amnesty International that he worked for months to enrol 20 Yezidi students into a school that provided accelerated learning. He said: “I had to go from place to place to finally get the right guy. It was a lot of headache, and I came and went so many times, until it finally worked... [I]t was so much trouble.”¹³⁹

These bureaucratic hurdles, the lack of options beyond the primary level, the transportation costs required for some children to access accelerated learning options and the inability of some children to access education in what has become their “mother tongue” of Arabic potentially places the authorities in breach of both Iraq’s international human rights obligations as well as its own constitutional guarantees to mandatory, free education at all levels and to an education in a child’s “mother tongue”.¹⁴⁰ The authorities also appear to be falling short in their obligation to provide “equal access to education”, as set out by the Iraqi Minimum Standards for Education in Emergencies.¹⁴¹

¹³² Interview with co-lead of Dohuk sub-national education cluster on 18 June 2020. Accelerated learning programmes have been established in other conflict-affected countries around the world, and a body of knowledge has been growing on their successes and challenges. See, for example, UNICEF and Liberia Ministry of Education, *Evaluation of the Accelerated Learning Program in Liberia – Final Report*, November 2011; The Pierson Institute, *Accelerated education programs in crisis and conflict*, 2016; Save the Children, *Accelerated Education Programming (AEP): Children, families, teachers and educational stakeholders’ experiences of AEP in Uganda*, February 2019.

¹³³ Interviews with UNICEF staff members on 17 June 2020, and with a representative of the Ministry of Education for the KR-I on 11 May 2020. The IDP camps in which these ALPs have been established include: Bersevi, Cham Mishko, Kabarto and Sharyia.

¹³⁴ Information about the location and offerings of these schools comes from interviews in May and June 2020.

¹³⁵ In less common cases, these children speak languages such as English or Turkish, which were used by their IS captors. For more information on the language barriers faced by Yezidi child survivors upon their return, see Section 4.3.

¹³⁶ Interview with the director of planning at the MOE-Iraq Representation Office in Dohuk, 18 June 2020.

¹³⁷ The MOE-Iraq and MOE-KRG do offer limited accelerated learning options for students at the secondary level of education, including the option to study “externally”, involving private, home-based study and exams, and the MOE-KRG offers evening schools in a limited number of locations in Dohuk governorate. Interviews with the director of planning at the MOE-Iraq Representation Office and the co-lead of Dohuk sub-national education cluster on 18 June 2020.

¹³⁸ Interview in February 2020.

¹³⁹ Interview on 8 May 2020.

¹⁴⁰ See Constitution of the Republic of Iraq, Articles 4(1), 34(1) and 34(2). Technically, child survivors who struggle to speak or understand Kurdish can access accelerated learning options offered in Arabic by the MOE-Iraq. However, if the student was enrolled in the education system offered by the MOE-KRG before 2014, as many Yezidi child survivors were, it is impossible for them to switch to the system offered by MOE-Iraq. Interview with co-lead of Dohuk sub-national education cluster on 7 July 2020.

¹⁴¹ Inter-Agency Network for Education in Emergencies, *Iraq Minimum Standards for Education in Emergencies*, 2018, cited in UNAMI and OHCHR, *The right to education*, p. 7. See Section 6.2 for more details.

These barriers to accessing education, as well as the distress many Yazidi child survivors experience, mean that many of these children opt out of the educational system entirely. Former Yazidi child soldiers can be particularly reluctant to return to a school environment due to the trauma, including through beatings and other forms of torture, that they experienced at the IS “institutes” many were forced to attend. For instance, Nufa, the caregiver for two sons and one nephew, all of whom were forcibly recruited by IS, explained one of her son’s reactions to schooling: “He says, ‘They taught us by force,’ so he doesn’t want to go to school.”¹⁴²

Many former child soldiers do not feel psychologically ready to return to school. This challenge is shared with other Yazidi child survivors, yet for former child soldiers, it can be exacerbated, as they are dealing with the after-effects of brainwashing and military training. For instance, Sahir, who was forcibly recruited by IS at the age of 15, said:

*When I came back, I went to school a few times, but I was like a stone sitting in the class. Nothing could enter my head. I had been brain washed, and I couldn’t handle it, so I gave up... A four-year gap is not easy. And in those four years I was trained in other things, so I forgot everything I learned. I was not ready to go back to school. I was not ready to learn.*¹⁴³

Of the 14 former child soldiers interviewed by Amnesty International for this report, none was attending or had plans to attend school, whether formal or informal.

Access to education is a fundamental human right.¹⁴⁴ Furthermore, humanitarian workers, including mental health professionals, pointed out that attending school is often essential in helping child survivors who have experienced trauma. According to psychotherapist and trauma expert Dr. Jan Kizilhan: “It is so important for them to return to everyday life. Without schooling and a routine, the mental health of these children will not improve.”¹⁴⁵

The importance of education to mental health was emphasized by several children and caregivers interviewed by Amnesty International. For instance, Rana, a 16-year-old survivor of IS captivity, had, with the help of a local humanitarian worker, managed to re-enrol in school upon her return. “After I returned back to school, things became more normal, and I felt better,” she said. “You need school to have a future.”¹⁴⁶ Nazik, a 10-year-old survivor of IS captivity, said that upon her return, “I just wanted to go to school and have friends... Friendship was the best thing to get me settled”.¹⁴⁷

FORMER CHILD SOLDIERS

As documented by Amnesty International, Iraqi and Kurdish forces and their affiliated militias have subjected Sunni child soldiers for IS over the age of 13 to extrajudicial execution, arbitrary arrest, enforced disappearance, inhumane prison conditions and routine torture.¹⁴⁸ In contrast, Yazidi child soldiers who managed to escape IS captivity have generally been spared violations by these forces. Instead, most have been returned to their families, whether by smugglers, Kurdish forces or other armed groups.

It is difficult to determine the exact number of Yazidi former child soldiers who have returned to their families in Iraq.¹⁴⁹ However, as of February 2020, the Office of Kidnapped Yazidis in Dohuk had registered the names of 951 boys who had returned from IS captivity since 2014. They estimated that at least 400 of these boys were trained at IS military bases.¹⁵⁰

Once they return to their families, boys who were indoctrinated and forcibly recruited by IS are often forced to endure an isolated existence. Many find that their families are not willing to acknowledge what they have experienced in captivity or even deny it altogether.¹⁵¹ They also often experience a jarring change in circumstances from a fighter to a civilian, a “man” to a “boy” and a comrade-in-arms to an unemployed and uneducated outcast. According to Dr. Mamo Othman of the Institute for Psychotherapy

¹⁴² Interview in February 2020.

¹⁴³ Interview in May 2020.

¹⁴⁴ See Section 6.2 for more details.

¹⁴⁵ Interview on 31 January 2020.

¹⁴⁶ Interview in February 2020.

¹⁴⁷ Interview in February 2020.

¹⁴⁸ See Amnesty International, *The condemned*, pp. 16-17.

¹⁴⁹ This text box focuses on boys who were forcibly recruited by IS and/or used in hostilities. As noted in Section 3.3, it is well documented that girls were subjected to forced labour as domestic servants for IS members, which may in some cases amount to forced recruitment, and they may have been forcibly recruited to serve IS in other ways and have particular needs as a result. This subject merits further research.

¹⁵⁰ These 951 boys were under the age of 18 when they were returned to their families. Interview on 25 February 2020.

¹⁵¹ See Section 5.1 for more details on this pattern.

and Psychotraumatology, former child soldiers “are neglected all over the IDP camps. They are often hidden, especially the older boys, because they don’t want to attract attention.”¹⁵² A psychosocial advisor at an international NGO said: “For Yazidi boys... it is a huge challenge coming back to the community that they were forced to fight against.”¹⁵³

As detailed in Section 3.3, IS subjected Yazidi former child soldiers to serious abuses, including regular beating and other forms of torture. In the course of their indoctrination and military training, they were also forced to turn their backs on their native language, religion and identity. They would be “punished”, usually by beating, for asking about or even mentioning their family members, and the propaganda videos to which they were regularly exposed contained specific instructions on how to kill *kuffar*, or infidels, such as the Yazidis.¹⁵⁴

According to the UN Commission of Inquiry on Syria, the boys’ past was “deemed erased and all contact with their family and community is effectively cut off. Instead, a new identity is forcibly imposed... [I]t aims at destroying their religious identity as Yazidis and recasting them as followers of Islam as interpreted by ISIS. In this way, Yazidi boys are transferred out of their own community, and through indoctrination and violence, into ISIS.”¹⁵⁵

After this experience, former child soldiers often find returning to their families and community to be particularly challenging. Sabbah, who was nine years old when he was forcibly recruited, described his experience: “When I came back, I wanted to stay with my own religion [of Islam], not theirs. At the beginning, I was following the ideology of IS totally. If I was not praying, I was thinking about praying... I would feel annoyed if someone asked what it was like under IS, or how they treated me. If someone talked about IS, I would defend them.”¹⁵⁶

The psychotherapist and trauma expert Dr. Jan Kizilhan told Amnesty International, based on his work with former child soldiers: “If every day they were experiencing IS propaganda, and they were told that they will be killed by Yazidis, it is very difficult to deal with them. If they are older, they can sometimes understand they have been brainwashed. If they were very young, they have more difficulties.”¹⁵⁷ A staff member of the KRG’s Office of Kidnapped Yazidis in Dohuk, who has interviewed dozens of former child soldiers, likewise said:

*Children are like a blank page. Whatever you put on the page will stay there... Imagine that a child was taken from his mother, and was trained in military bases, where they are watching big TV screens showing people being beheaded. They are training them physically and mentally... IS changed their names, their religion, their language. These children need help.*¹⁵⁸

Several humanitarian workers, including mental health experts, said that while government bodies, international organizations, and NGOs have established a limited number of programmes, the needs of Yazidi former child soldiers are not close to being met. They also noted that while former child soldiers are sometimes included in general programmes for Yazidi child survivors or Yazidi children, there are very few, if any, programmes that are specifically tailored to address the needs and challenges faced by these children and young adults.¹⁵⁹

For instance, a psychotherapist who ran a pilot programme on children formerly associated with IS said: “We did actor mapping, and no [organization] has done anything specific for [Yezidi former child soldiers]. There was an organization that had a children’s group, and they said, ‘Some of the children had been in training with IS, but we had nothing to do for them.’ There is really no one doing this.”¹⁶⁰ A psychotherapist for a local organization, who had managed the cases of several former child soldiers, said likewise, “I have said this many times, and I will say it again: whether it’s the UN, or any other organization, [former child

¹⁵² Interview on 19 February 2020.

¹⁵³ Interview on 13 March 2020.

¹⁵⁴ Interview with case worker for a local NGO who had interviewed hundreds of former child soldiers on 27 April 2020.

¹⁵⁵ UN Commission of Inquiry on Syria, *They came to destroy*, p. 19.

¹⁵⁶ Interview on 21 February 2020.

¹⁵⁷ Interview on 31 January 2020.

¹⁵⁸ Interview on 25 February 2020.

¹⁵⁹ Interviews on 19 February, 25 February, 26 February, 30 April and 18 June 2020. One such programme is UNICEF’s “Community-Based Reintegration and Security (CBRS) Programme”, which aims to “facilitate the safe and effective reintegration of released children and children at risk into their communities”. For more details, see UNICEF, “Strategy for the implementation of community-based reintegration and security for disengaged children and children at risk”, February 2020. While this programme is not specifically tailored to the needs of Yazidi former child soldiers, it could provide a useful template for future programmes.

¹⁶⁰ Interview on 25 February 2020.

soldiers] who have come back from IS need specialized experts, who treat them through a specialized programme. The gap is still very big.”¹⁶¹

More than half of the former child soldiers interviewed for this report said that they had not had any form of support – whether psychosocial, health, or financial – after their return from captivity. For instance, Rayan, who was 15 years old when he was forcibly recruited by IS, said:

*Until now, I didn't get anything from anyone. I didn't get money, health support... I didn't get any psychological support... I got a lot of phone calls, but it was all for nothing. If I had psychological support and health support, of course it would be better... I just want the financial support for my uncle. He borrowed US\$10,000 from so many other families to get me back, and he is now unable to pay it back.*¹⁶²

Given the lack of specialized support, Murad Ismael, a Yezidi civil society activist, said: “For former child soldiers, it’s normally left for the family to reintegrate them. It’s all family-based support.”¹⁶³ Family members are themselves overwhelmingly recovering from psychological distress and face enormous other challenges in reintegrating child survivors, as discussed in Section 5.1, and in meeting their own basic needs. While families are integral to helping former child soldiers recover, they need support through long-term specialized programmes.

According to several humanitarian workers and experts, the isolation and lack of attention paid to these boys and young men has the potential to evolve into the next cycle of violence and human rights abuses in Iraq. Sherri Talabani of the SEED Foundation shared her views: “If you don’t deal with these kids... this is a major security risk. We must figure out how to integrate them back with their families... This is a long-term, volatile issue that could explode on the rest of the world.”¹⁶⁴

4.5 CIVIL DOCUMENTATION

“The government knows what has happened to us. They should have issued our papers. For three months after our boys returned, I had to keep working to get their papers... It took five of us. We went to Mosul three times. We were so scared that IS would recognize me or the children.”

Arzan, mother of child survivors Bassim, 16, and Sherzad, 14.¹⁶⁵

Iraqi citizens who lack civil documents, such as an identity card, residence card, ration card and birth certificate, can be denied the exercise of human rights such as freedom of movement and access to education.¹⁶⁶ Almost all of the child survivors interviewed by Amnesty International needed to obtain replacement or updated documents upon their return from captivity. The children or their parents often lost these documents when they fled their homes or in the course of their abduction by IS. In addition, some child survivors do not have civil documents because they were born shortly before they were forced to flee and their parents had not yet obtained their documentation, or because they were born during captivity.

¹⁶¹ Interview on 24 April 2020.

¹⁶² Interview in May 2020.

¹⁶³ Interview on 25 February 2020.

¹⁶⁴ Interview on 30 April 2020.

¹⁶⁵ Interview in February 2020.

¹⁶⁶ For more information on challenges faced by Iraqis in obtaining their civil documents in the wake of the conflict with IS, particularly women and children with perceived links to IS, see Amnesty International, *The condemned*, pp. 22-24. See also Human Rights Watch, “Iraq: Families of alleged ISIS members denied IDs”, 25 February 2018, www.hrw.org/news/2018/02/25/iraq-families-alleged-isis-members-denied-ids

Although government offices and NGOs have attempted to assist Yezidi survivors to obtain their civil documents, many humanitarian workers as well as caregivers described significant barriers. They said that obtaining such documentation was costly and time-consuming; that travel to Mosul, Sinjar or other areas perceived as unsafe was sometimes required; and, in many cases, that they therefore were forced to pay “middlemen” to help them jump through bureaucratic hurdles and travel to areas they believed were unsafe.¹⁶⁷

According to the local NGO Yazda, “documentation has become a systematic problem” for Yezidi child survivors.¹⁶⁸ Ameen, the father of a 16-year-old former child soldier for IS, shared his experience:

*I spent US\$3,000 to get all of the documents for my son: the residence card, the national ID, the ration card and the passport. His mother even had to come back [from Germany] and get her official marriage certificate here, so that his paperwork could be completed. I went to the Erbil consulate, and every time, it [cost me] US\$100. Then they said I had to go to Mosul to finish it... I ended up getting the national ID from Baghdad, because I was scared to go to Mosul. It's just a pile of papers, but it takes all of this.*¹⁶⁹

Sino, the caregiver for his son, age 10, and nephew, age eight, both of whom are survivors of IS captivity, described a similar process:

*I did everything with money to get the documents... The passport office in Erbil gave me an appointment to submit the passports three years later... Iraq is like that. If you didn't have money to pay, the process would take forever. We got a special letter from [a government office] in Dohuk saying that we should be helped, but it didn't do anything, so we went to Mosul and paid money to get it done.*¹⁷⁰

Amani, the caregiver for her two siblings and nephew, all of whom are child survivors, recalled:

*We received the government documents, with difficulty. We spent 1 million Iraqi Dinar (US\$840) on their passports, and US\$400 just on the Iraqi national IDs... We had no papers. We didn't even have the originals because they were burned. We had to give the money to someone who would make the trips to get the papers. As you can see, we have no salary – nothing. So this was impossible for us.*¹⁷¹

Yezidi women with children born of sexual violence during captivity face specific barriers to accessing their children's civil documents, which make these children at high risk of becoming stateless. Because they were born in IS-controlled territory, all of these children lack officially-recognized civil documents, which are necessary to enter school, to collect food rations from the government and to realize other basic rights. In Iraq, if a child is born to unmarried parents, as in almost all cases for Yezidi women who give birth to children as a result of sexual violence in captivity, proof of paternity is required.¹⁷² According to a joint report by UNAMI and UNICEF, “For children born of rape and sexual slavery where proof of paternity may be impossible, the Iraqi law does not have any provisions for this category of children”, which means that it can be extremely difficult or even impossible to register them.¹⁷³ Furthermore, as discussed in detail in Section 5.2, under Iraqi law, children with Muslim or “unknown” fathers are automatically registered as Muslim.¹⁷⁴ Yezidi women with children born of sexual violence are therefore reluctant to even seek civil documents for their children, as doing so would solidify the status and identity of these children as non-Yezidi, further ostracizing them from the Yezidi community.

In the KRG's response to Amnesty International's letter outlining the findings of this report, they acknowledged that this requirement for children with Muslim or “unknown” fathers to be registered as Muslim has “hindered the documentation process”.¹⁷⁵ The KRG indicated that “efforts were resuming to amend this law”.¹⁷⁶ Amnesty International welcomes such efforts and urges the authorities of the Iraqi central government and the KRG to make them a priority.

Several NGOs, such as the Norwegian Refugee Council (NRC) and Yazda, as well as the UN and government offices, have established initiatives and offer services to help address the barriers faced by

¹⁶⁷ Interviews with staff members of Yazda on 18 February 2020, a staff member of NRC on 19 February 2020, a case manager for VOP-FAM on 8 May 2020, and with seven caregivers in February 2020.

¹⁶⁸ Interview on 18 February 2020.

¹⁶⁹ Interview on 21 February 2020.

¹⁷⁰ Interview in February 2020.

¹⁷¹ Interview in February 2020.

¹⁷² Personal Status Law of No. 32 of 1974, Article 28(1).

¹⁷³ UNAMI and UNICEF, *Analysis of the legal framework governing civil documentation in Iraq*, 2018, p. 4.

¹⁷⁴ See Articles 20 and 26 of Law No. 3 of the 2016 National Identity Card law, www.iraqlid.hjc.iq/pdf/2016/gg0256.pdf, and Article 45 of Juvenile Welfare Law No. 76 of 1983, www.gjpi.org/wp-content/uploads/juvenile-welfare-law-76-of-1983.pdf

¹⁷⁵ Email from KRG International Advocacy Coordinator Dr. Dindar Zebari, on behalf of the KRG, on 23 July 2020.

¹⁷⁶ Email from KRG International Advocacy Coordinator Dr. Dindar Zebari, on behalf of the KRG, on 23 July 2020.

Yezidi children and their caregivers in obtaining replacement or updated civil documents. This includes arranging pro-bono legal assistance and establishing mobile courts and mobile documentation teams so that documents can be issued in IDP camps. While such services have certainly made progress in addressing this issue, Amnesty International documented 12 child survivors who needed new or replacement civil documents, based on interviews with caregivers or the child survivors. Eight were unable to access such services, were not aware of them or found them to be inadequate.

THE STORY OF RANDA, AGE 14, WHO SURVIVED FIVE YEARS OF IS CAPTIVITY¹⁷⁷

I was sold so many times I don't remember any more. Then, at the end, there was the man who forced me to marry him. I was staying in a house with many others, but not any Yezidis.

When we were in Baghouz, I was with the IS wives. The PKK [Partiya Karkerên Kurdistanê] surrounded the house.¹⁷⁸ They tied my hands and took me to al-Hol [camp]. In al-Hol, they investigated me. They thought I was Syrian at first. Then they brought me to my grandmother.

It was so difficult at the beginning. I didn't know anybody, and I didn't want to come. [IS] had always told us, if you go back to your family, the family will kill you, because you have become a Muslim.

Now, I like to stay alone. I prefer to be alone. At the beginning, I was crying a lot. Still, I am crying. I always remember the IS man beating me. I have gotten used to the family now, but even now, I don't understand things about this family, this life. There are so many differences between that life and now. The religion. Their lives. Everything. Everything is different.

I had no Kurdish when I came back. I didn't know one word of Kurdish. I only learned Kurdish through the family. I don't go to school... My dream is to know how to read and write. They didn't teach me how to read and write in Arabic.

I was a child when they made me marry. They made me suffer. I want my future to be better. I want IS to be held accountable for what they did to me.

¹⁷⁷ Interview in February 2020. This interview has been condensed.

¹⁷⁸ The PKK, or the Kurdistan Workers' Party, is a Kurdish militant and political organization based in the Kurdish regions of Turkey and Iraq.

5. CHALLENGES FOR FAMILY MEMBERS OF CHILD SURVIVORS

Yezidi parents and other family members who care for child survivors face numerous challenges. They are often impoverished due to the thousands or tens of thousands of dollars they were forced to pay for the return of their family members. Many are traumatized by their own experience in captivity or the death or abduction of their family members. They told Amnesty International that they were struggling to meet the needs of child survivors and reintegrate them back into their families. Humanitarian workers noted that there are very few, if any, programmes to educate parents and other caregivers about what their children are going through, or on how to help these children adjust after they return from captivity.

Many Yezidi women who gave birth to children as a result of sexual violence by IS members face acute distress, as these children have largely been denied a place within the Yezidi community. While some women have willingly separated from these children, others told Amnesty International that they did so only due to pressure, coercion or misleading information from members of their family and community. Many have been cut off from any news or updates about their children, and they are unable to share their suffering with others in their families or community. These women pleaded for the national authorities and international community to act with urgency, as they found their current situations unbearable.

5.1 CAREGIVERS FOR CHILD SURVIVORS

“Until now they are not settled. They have stopped talking about Islam, but they are not comfortable with us. They can’t forget. If they could forget, it would be so much better for us.”

Imad, caregiver for two nieces and two nephews who survived IS captivity.¹⁷⁹

¹⁷⁹ Interview in February 2020.

“The biological families really struggle when they come back. They don’t know how to connect with these kids.”

Therapist from the SEED Foundation.¹⁸⁰

All caregivers interviewed by Amnesty International expressed joy and relief at the return of their children, brothers, sisters, nephews, nieces and grandchildren from IS captivity. For instance, Sino described the homecoming of his 10-year-old nephew: “[I]t was just like seeing someone who has risen from the grave. Can you imagine? Anyone in captivity is dead to us. If someone you loved who was dead came alive, how would you feel? The happiness is indescribable. There are no words for it.”¹⁸¹ Shaha described her reunion with her five-year-old daughter: “I thought she would have been lost... [and] gone forever. When we saw her, we went crazy.”¹⁸²

Yet many caregivers told Amnesty International that after the joyful homecoming of their children and other family members, they had struggled to meet their needs and reintegrate them into the family. Many caregivers cited the challenges outlined in other sections of this chapter, such as related to the child survivor’s mental and physical health. Others, however, raised their financial situations. In many cases, the financial difficulties faced by caregivers for Yezidi child survivors are even more dire than those of other internally displaced people in Iraq because they have often been forced to pay thousands or tens of thousands of dollars to ransom their family members.¹⁸³ For instance, Shaha told Amnesty International that she spent a total of US\$40,250 to ransom her two daughters, and that she remained in debt to 10 other families that had loaned her the money.¹⁸⁴

These financial difficulties can be further exacerbated for caregivers of child survivors outside their immediate families – a common phenomenon in the Yezidi community, due to the high number of children whose parents were killed or remain missing. Imad, the caregiver for his son as well as two nieces and two nephews, all of whom survived captivity, told Amnesty International:

*All four are the children of my brother... It’s very difficult for us. We can barely take care of them. There is no work available. Without the organizations’ charity, we wouldn’t be able to raise them at all. They are a family of orphans. It is so difficult for them, and for us... The rights of these children have been taken completely.*¹⁸⁵

Imad added that he was US\$6,500 in debt after paying for the ransom of one of his nephews.¹⁸⁶ A staff member from Yazda described her experience with such families: “Some of these families call us and say they don’t even have enough food to give [the child survivors].”¹⁸⁷

Many of the caregivers looking after these children are suffering trauma themselves, which makes reintegrating and caring for child survivors even more difficult. According to Hewan Omer, Country Director of the Free Yezidi Foundation: “So many children who were in captivity are left for the mothers to deal with, and these mothers are already so traumatized. Her daughter has been raped in front of her, and now her kids are acting out and being aggressive... She shouldn’t have to deal with this alone.”¹⁸⁸

Mothers and children who remained together during captivity can face particular difficulties, as many of these children witnessed the mother being raped or subjected to other abuse. Sherri Kraham Talabany of the SEED Foundation explained: “Children in captivity with their mothers have witnessed their mother being abused, so now many have so little respect for their mother [and] for women generally, and the attachment with their mothers may be broken. Some even become abusive toward their mothers.”¹⁸⁹ A staff member of Yazda said similarly: “It doesn’t always help if the children were with their mothers in captivity. For these children, it’s a very complex trauma. Sometimes the children were forced to denounce their mothers. And the mothers can even be afraid of their children.”¹⁹⁰

¹⁸⁰ Interview on 26 February 2020.

¹⁸¹ Interview in February 2020.

¹⁸² Interview in February 2020.

¹⁸³ For more details, see Section 3.4.

¹⁸⁴ Interview in February 2020.

¹⁸⁵ Interview in February 2020.

¹⁸⁶ Interview in February 2020.

¹⁸⁷ Interview on 27 April 2020.

¹⁸⁸ Interview on 20 February 2020.

¹⁸⁹ Interview on 30 April 2020.

¹⁹⁰ Interview on 18 February 2020.

According to the humanitarian workers, children and caregivers interviewed for this report, child survivors often experience a culture clash when they return to their families. This is especially the case for those survivors who were held captive for an extended period, separated from their families or subjected to propaganda and brainwashing by IS. These children feel they no longer belong with the Yezidi community or even with their families. A psychotherapist for VOP-FAM described his experience with children in this situation: “Until now, I am following up with children who are completely brainwashed. They have headsets, and they listen to the Qur’an and prayers, and their families don’t understand this at all. These children have forgotten completely that they are Yezidis.”¹⁹¹ Dr. Mamo Othman, Director of the Institute for Psychotherapy and Psychotraumatology at the University of Dohuk, likewise said: “IS changed the children’s names, so in some cases, they do not react when their parents would call them by their original names. They scold the fathers for drinking alcohol and get up early to pray... If you don’t help these children now, the situation for them, and for the family, will get much worse.”¹⁹²

As a result of their feelings of alienation from their families, among other issues, several child survivors have attempted to flee their tents or residences upon their return, often repeatedly. Arzan, the mother of 14-year-old survivor Sherzad, explained: “Many times, he would run away from us... He might run around the camp for an hour, and finally we would find him at the door of the camp. He would say, ‘I don’t want to be with you.’ He would run and run and then start crying.”¹⁹³ Imad described a similar situation with his nephew, Muhanad: “He ran away three times. Three times, we couldn’t find him until the next day. The local police found him and brought him back to us.”¹⁹⁴

The relationships between boys who were indoctrinated and forcibly recruited by IS, on the one hand, and their families and communities, on the other, is often complex and difficult. Some former child soldiers feel a deep sense of shame about their experiences during their time with IS, especially if they were forced to fight or commit atrocities. This feeling can be amplified by their caregivers and other family members, who can also feel ashamed. Former child soldiers are also sometimes subject to threats and harassment by neighbours or community members. A local NGO told Amnesty International about an incident in which the tents of several former child soldiers were burned in an IDP camp in Dohuk governorate.¹⁹⁵

Several humanitarian workers said that some families were afraid of their children or other relatives who fought with IS.¹⁹⁶ One raised the example of a family who had locked a young boy in a closet because they were afraid he would kill them.¹⁹⁷ According to one local psychotherapist, such fears are not all necessarily unfounded. He told Amnesty International that among the former child soldiers he had worked with, “there were children who were ready to kill people because of the IS ideology in their minds”.¹⁹⁸ He provided the example of one of his clients, who had recently confided in him that he was planning to kill his uncle’s family. “He waited until he trusted that I am a Muslim, and then he told me,” the psychotherapist explained. “He shared the plans with me, and I shared the plans with camp security, and I informed the family. We followed the situation for three months.”¹⁹⁹

Humanitarian workers noted that there are very few, if any, programmes to educate parents and other caregivers about what their children are going through, or on how to help their children adjust after they return from captivity. According to psychotherapist and trauma expert Dr. Jan Kizilhan: “The parents don’t have any information on how to deal with the children. They don’t have access to these kind of services... The parents need specialized training.”²⁰⁰ A staff member of Yazda said similarly: “There is a huge lack of family interventions. For the psychiatric care, there is nothing for the family. [Some organizations] take the children away for counselling, which can have the effect of further separating the family. No NGOs are doing family work, focused on how to live together... We need family-based solutions and counselling.”²⁰¹

In light of the challenges highlighted in Chapter 4, many of the caregivers interviewed by Amnesty International expressed feelings of despair and hopelessness. For instance, Arzan felt her current situation, looking after her 14-year-old survivor son, who she said has fits of rage, hyperactivity and aggressive tendencies, was unsustainable: “At the beginning, I was dreaming of him coming back to me. Then when he came back, I couldn’t have one normal meal with him, not one normal moment... It cannot get worse than

¹⁹¹ Interview on 24 April 2020.

¹⁹² Interview on 19 February 2020.

¹⁹³ Interview in February 2020.

¹⁹⁴ Interview in February 2020.

¹⁹⁵ Interview in February 2020.

¹⁹⁶ Interviews on 19 February, 26 February and 27 April 2020.

¹⁹⁷ Interview on 19 February 2020.

¹⁹⁸ Interview in April 2020.

¹⁹⁹ Interview in April 2020.

²⁰⁰ Interview on 31 January 2020.

²⁰¹ Interview on 18 February 2020.

this.”²⁰² Basima, the mother of two survivor daughters, shared a similar sentiment. “I lost my mind when they were gone because I was missing them. When they came back, it was even more difficult for me,” she said.²⁰³



Mamrashan IDP Camp, Dohuk governorate. © Adam Ferguson

THE STORY OF GULE, THE MOTHER OF SUZAN, AN 11-YEAR-OLD SURVIVOR OF IS CAPTIVITY²⁰⁴

I got separated from Suzan in Deir Al-Zour. She was six years old at that time. She didn't know we were searching for her. We were searching for three years. We gave her photo to all of the smugglers.

We found out that an IS fighter had bought her to be a servant for his wife. She was always beaten by the wife. She has a pain in her head still, from when that wife was smashing her head into the wall. She remained in that house for one year, and then [the IS fighter] was killed in an airstrike. The wife sold her to an Egyptian man. She was with him for six or seven months. Then the Egyptian man fled to Turkey, and he gave her to another family. They said they didn't want to buy her. They wanted to be paid instead.

We paid US\$10,300 for Suzan. We put the money in a secure place, and her father, the driver and I went to [where she was held]. We went right to that family. The man went into one room. He brought out two other girls first, and I said she wasn't one of them. Then I saw my daughter. She looked like a skeleton. When I saw her, my mouth became dry. We knew they were IS. We knew what they had done to her.

She had a scarf on her head. When we got to the car, I asked my husband whether we could take it off. He said yes, and I did. We were scared to drive, but we wanted to bring Suzan back even if we died. We needed to bring her back.

We had a treat with us, zalabia, and she wouldn't eat it at first. But then she ate it, she really did, and her hands got so sticky. She didn't know what to do. She didn't know how to clean her hands, and she just sat there with her hands in her lap. I started crying, and I made my scarf wet with my tears, and I wiped her hands with it. She lied down on my lap, and she asked: “Mother, am I in your lap? And am I asleep?” I said, “Yes. Yes, you are.” Even now, she comes and asks to lie in my lap, like the first time in the car.

²⁰² Interview in February 2020.

²⁰³ Interview in February 2020.

²⁰⁴ Interview in February 2020. This interview has been condensed.

Now she's very angry. She threw a notebook at her father. What can I do with her? She needs to move all the time. I don't know how to speak with her. She cannot speak very well. She cried so much in her life, and I think she lost her tongue to speak, from all of that crying. She starts a sentence and takes a long time to continue it. She is not speaking fluidly.

We took her to [a charity clinic], and they said she was very young, too young to treat. She was sent to another hospital, but we didn't make it there. She has had no medical tests.

When I put out the food, she would wait for all of her siblings to eat, and then she would take the remains. Slowly, she started taking the food at the same time as them.

5.2 WOMEN WITH CHILDREN BORN OF SEXUAL VIOLENCE

“I was told, ‘If you want to see your father and mother, you will never see your children again.’”

Rangeen, age 23, survivor of captivity and mother of two children.²⁰⁵

““They say she is from IS. She is not from IS. She is part of my soul. I have a right to be with her. Why don't they have mercy on me? Even if you take a baby from an animal, she will get angry and cry and protest.”

Hanan, age 24, survivor of captivity and mother of one daughter.²⁰⁶

Yezidi women abducted by IS were subjected to systematic rape and sexual slavery, among other violations.²⁰⁷ As a result, many of these women became pregnant and gave birth to children. As in so many conflicts, these children born of sexual violence have become the subject of intense controversy and debate, stigmatized and largely denied a place within their mothers' community.²⁰⁸ These women have therefore been forced into either keeping their children but giving up their families and community, or giving up their children but reuniting with their families and community.

Yezidi women have responded to this dilemma in different ways. Some willingly separate from their children, feeling, like some members of their community, that the children are a reminder of the atrocities they and their families suffered at the hands of IS. Others agree to separate from their children, only to regret their decision later. Some wish to stay with their children, but as a result of pressure, coercion or misleading

²⁰⁵ Interview in May 2020.

²⁰⁶ Interview in May 2020.

²⁰⁷ See Section 3.3 for more details. Yezidi girls have also given birth to children a result of sexual violence by IS members, but for the purposes of this report, these girls are included under the category of women. The vast majority are also now over the age of 18.

²⁰⁸ The issue of children born of sexual violence during armed conflict has gained increased attention in recent years by policymakers, humanitarian workers and scholars, especially in the context of the Women, Peace and Security Agenda and the UK-led Preventing Sexual Violence in Conflict Initiative. See, for example, Joanne Neenan, *Closing the protection gap for children born of war: Addressing stigmatization and the inter-generational impact of sexual violence in conflict*, September 2017. Children born of sexual violence during armed conflict are also commonly referred to as “children born of rape” or “children born of war”. In other war-time contexts, they have been referred to by derogatory terms such as “Russian brat” (Germany), “devil's children” (Rwanda), “children of shame” (East Timor), “monster babies” (Nicaragua), “dust of life” (Vietnam), “children of hate” or “Chetnik babies” (Bosnia). Elisa Van Ee and Rolf Kleber, “Growing up under a shadow: Key issues in research on and treatment of children born of rape”, *Child Abuse Review*, Vol. 22, p. 387.

information from members of their family and community, leave them behind. Many Yazidi women have remained in camps outside Iraq, particularly al-Hol camp in north-east Syria, or stayed with their IS captors, and not taken steps to return to their families out of fear they will be separated from their children.²⁰⁹ According to humanitarian workers and other experts interviewed for this report, very few, if any, Yazidi women with children born of sexual violence have opted to remain with their children and live in exile elsewhere in Iraq, as they are unable to overcome the significant and often insurmountable socio-economic and cultural barriers to living without the support of their families and community.²¹⁰

Yezidi women with children born of sexual violence, along with local activists and humanitarian workers, often find it impossible to know what happens to the children after they have been left behind. According to activists, humanitarian workers and other experts, these children have usually been left with camp authorities, local organizations, orphanages, the Yazidi woman's IS captors or adoptive families.²¹¹ Due to the ad-hoc and informal nature of the way many children are left behind, they are at serious risk of neglect, as well as being trafficked or subjected to other serious human rights abuses. The precise number of children born of sexual violence to Yazidi women since 2014 is unknown, but most experts believe that there are at least several hundred, and possibly more.²¹²

For this report, Amnesty International interviewed six women with children born of sexual violence and 13 international and national humanitarian workers, civil society activists, lawyers and journalists with specific expertise on this topic. The organization also interviewed a member of the administration of the Women's Committee, a part of the Autonomous Administration in north-east Syria, which runs an orphanage in the town of Rmelan, in north-east Syria, that, as of May 2020, was home to 49 children who were born of sexual violence to Yazidi women.²¹³

5.2.1 TRADITION, LAW AND CONTROVERSY

According to the Yazidi religious tradition, to be considered Yazidi, a child must be born to a Yazidi mother and a Yazidi father.²¹⁴ This precept put into doubt whether the Yazidi religious authorities would accept into the community children born of sexual violence by Muslim men against Yazidi women during captivity.²¹⁵ For several years, the authorities were silent on the issue. On 24 April 2019, the silence ended when the Yazidi Supreme Spiritual Council published a statement clarifying that they would "accept all survivors [of IS crimes]" and consider "what they went through to have been against their will".²¹⁶ This statement was interpreted by many to accept children born of sexual violence into the community, and it was hailed by some Yazidi community members and activists as a historic, landmark decision. Other members of the Yazidi community and tribes, however, were outraged.²¹⁷ The backlash ultimately led the Spiritual Council to

²⁰⁹ For media coverage of the situation of Yazidi women with children born of sexual violence during IS captivity, see, for example, Matthew Barber, "On the Yazidi mothers of children fathered by jihadists", Syria Comment, 4 April 2019; Kimberly Dozier, "The caliphate is crushed, but ISIS infants – innocent, abandoned and despised – live on", *Daily Beast*, 24 March 2019, www.thedailybeast.com/the-caliphate-is-crushed-but-isis-infants-innocent-abandoned-and-despised-live-on; Jane Arraf, "Freedom from ISIS means Yazidi women must abandon their children", *NPR*, 3 April 2019, www.npr.org/2019/04/03/709348198/freedom-from-isis-means-yazidi-women-must-abandon-their-children; Louisa Loveluck and Mustafa Salim, "Yazidi women raped as ISIS slaves face brutal homecoming choice: Give up their child or stay away", *The Washington Post*, 30 July 2019, www.washingtonpost.com/world/middle_east/yazidi-women-raped-as-isis-slaves-face-brutal-homecoming-choice-give-up-their-child-or-stay-away/2019/07/30/f753c1be-a490-11e9-b7b4-95e30869bd15_story.html

²¹⁰ The SEED Foundation said of this dilemma: "Women, after years of torture and deprivation, must determine whether they can survive outside... social support systems and overcome the legal, financial, and practical barriers. This has made the choice to maintain custody extremely rare. It is important to recognize the socioeconomic status of these women prior to their captivity – in most cases, these women and girls rarely made decisions about their daily life, their education, or life decisions about when/if/who they married or whether to have children. Many are illiterate, did not complete secondary education, did not work outside the home, and many had extensive restrictions on movement prior to being captured." For more details, see SEED Foundation, *Children born of the ISIS war*, January 2020.

²¹¹ Interviews on 14 February, 20 April, 30 April, 1 May and 5 May 2020. See the text box below for more details on a specific orphanage in Rmelan, in north-east Syria.

²¹² Interviews on 14 February, 20 April and 30 April 2020. According to the KRG's Office of Kidnapped Yazidis, as of February 2020, 2,240 women and girls have returned from captivity, and 1,308 women and girls are still missing. Interview on 25 February 2020.

²¹³ Interview on 20 May 2020.

²¹⁴ Yazidi religious traditions also prohibit in-conversion and marriage outside of the community. Matthew Barber, "On the Yazidi mothers of children fathered by jihadists", Syria Comment, 4 April 2019.

²¹⁵ In August 2014, the Yazidi religious authorities broke with tradition by stating that women and girls who were subjected to sexual violence by IS should be seen as "pure" members of Yazidi society. For more details, see Gina Vale, "Liberated, not free: Yazidi women after Islamic State captivity", *Small Wars & Insurgencies*, Volume 31, No.3, 13 April 2020, p. 528, and Susannah George, "Yazidi women welcomed back to the faith", UNHCR Tracks, 15 June 2015.

²¹⁶ For the full text of the statement (in Arabic), see the Facebook page of the Yazidi Supreme Spiritual Council, 24 April 2019, www.facebook.com/1841810786067245/photos/a.1842097616038562/2297374240510895/

²¹⁷ See Elizabeth Tsurkov, "Yazidi community struggles to grapple with children born of rape", The Forum for Regional Thinking, 27 April 2019; Sirwan Kajjo, "Yazidis divided over children born of IS rape", *Voice of America*, 29 April 2019; and Tom Allinson, "Yazidi women seek acceptance for children born of IS rape", *Deutsche Welle*, 1 May 2019.

issue a “clarification” on 27 April 2019, stating “the decision to accept survivors and their children did not at all mean children born of rape”.²¹⁸

The Iraqi legal framework has made it even more difficult for the Yezidi community to accept children born of sexual violence to Yezidi women during IS captivity. Under Iraqi law, a child born to either an “unknown” or a Muslim father must be officially registered as Muslim.²¹⁹ Other factors have also contributed to the rejection of these children: the perception that they carry the bloodline of IS, and therefore will eventually harm the community; the perception that they are a constant reminder of the crimes committed by IS against the community; and the high level of stigma faced by any child born of sexual violence or outside of marriage in Iraq.²²⁰

Staff members of local and international humanitarian organizations and civil society activists said that apart from the strong position taken by the Yezidi Spiritual Council, the Yezidi community’s response to this issue has been mixed. While many in the community strictly oppose accepting children born of sexual violence, others would be willing to accept them, especially if given a positive signal by tribal leaders or religious authorities. Still others feel compassion and sympathy for these children and mothers and believe they should be somehow supported, but given the edicts of Yezidism, cannot see a place for them within the community.²²¹

As a result of the controversy, several local NGOs and other civil society actors reported that they are unable to focus on this issue due to the safety risks raised by such work. For instance, a member of a local NGO told Amnesty International: “We can’t focus on children born of rape. We need to protect our reputation in the community... If we try to help a woman to come back with her children, we could all be killed... [In the past] we were attacked because we supported the return and reintegration of these people.”²²²

Representatives of international and national NGOs who have advocated for the prioritization for resettlement and humanitarian relocation of women and their children born of sexual violence told Amnesty International that officials from foreign governments had refused to accept such cases, as they believed these children could pose security risks later in their lives. For instance, Sherri Khaham Talabany of the SEED Foundation said that officials of several European governments were unwilling to accept and prioritize these cases. “Governments see these children as a huge risk. Everyone thinks that these children will be so isolated and abandoned at some point in their lives that they will go back to IS,” she explained.²²³

Dr. Nemam Ghafouri, director of the humanitarian organization Joint Help for Kurdistan, had faced the same challenges in her attempts to find places in resettlement or humanitarian relocation programmes for these women and children. She said: “[G]overnments tell me they are afraid that if they take a woman with her child [born of sexual violence], maybe in the coming years an IS fighter will come and try to reunite with the child.”²²⁴ Janan, the mother of a son who was born of sexual violence, experienced this rejection personally. She said:

*I met the Embassy of [a foreign government], but they said they wouldn’t accept this kind of case. The official said [my son] was an IS child. I said, “He is the son, and I am the mother. He is not an IS child. I did not choose to have him, but I did, and now he is my son.” The foreigner said these exact words: “He is an IS child.” He said his government would not accept this, because maybe when he grew up, he would try to find his father.*²²⁵

5.2.2 SEPARATION

Many Yezidi women with children born of sexual violence have reluctantly separated from their children, whether as a result of concerted family and community pressure or threats to their and their child’s safety.²²⁶

²¹⁸ For the full text of the second statement (in Arabic), see the Facebook page of the Yazidi Supreme Spiritual Council, 27 April 2019, www.facebook.com/1841810786067245/photos/a.1842097616038562/2299311763650476/

²¹⁹ See Articles 20 and 26 of Law No. 3 of the 2016 National Identity Card law, www.iraqid.hjc.iq/pdf/2016/gg0256.pdf, and Article 45 of Juvenile Welfare Law No. 76 of 1983, www.gjpi.org/wp-content/uploads/juvenile-welfare-law-76-of-1983.pdf

²²⁰ For more details on the barriers faced by Yezidi women to remaining with and parenting children born of sexual violence, see SEED Foundation, *Children born of the ISIS war*, January 2020.

²²¹ Email received from Yezidi expert on 30 May 2020, and interviews on 19 February and 1 May 2020.

²²² Interview on 1 February 2020.

²²³ Interview on 30 April 2020.

²²⁴ Interview on 5 May 2020. On this issue, see also SEED Foundation, *Children born of the ISIS war*, January 2020, which states: “Should a country provide priority status for resettlement for the mothers with their children, families may consider this an incentive to accept the children. However... [i]t seems the presence of these children raises security concerns among resettlement countries and some are referring to the children as ‘terrorist babies.’ Among other concerns expressed, Western governments fear that the woman may reconnect with the ISIS father once settled in a European country.”

²²⁵ Interview in May 2020.

²²⁶ Four of the six women Amnesty International interviewed who had been separated from children born of sexual violence said that they had been pressured, coerced or deceived into giving them up by family members or by individuals or groups who work to reunite captured Yezidi women and children with their families; one had taken her child with her to an IDP camp in Iraq and separated from the child after

Four of the six women interviewed by Amnesty International said they were pressured, coerced and even tricked to leave their children behind by family members or by individuals or groups who work to reunite captured Yazidi women and children with their families. All four were falsely assured that they would be able to visit or reunite with the children at a later stage. Rangeen, a 23-year-old survivor of IS captivity and the mother of two children, told Amnesty International:

We were in touch with our family members, and they were telling us, you have to leave your children behind, but you can visit, every week or every month. [The Yazidi group coordinating our return] said we could come back any time... They said, "This [orphanage] is the place, you will be in touch with the children and we will send the photos – whatever you want."

Our problem was that we missed our parents, our family, and we wanted to reunite with them... On the way [to Iraq], they told us again that they would find a way for us to visit our children. When we came back to Iraq, they said "Ok, wait a week," and then, "Ok, next week." We finally realized that we would not meet them again. When I realized this, it was the hardest moment of my life... I am so tired now. It is like I lost a piece of myself... If I had known this would happen, I would never have left the camp.²²⁷

Bafreen, a 21-year-old survivor of IS captivity and the mother of two children, described a similar experience:

I stayed one month [in Syria]... At the end, two women and a man came and they took away my children, by force... I will never forget that day... I will never forgive them, and I will never forgive the Yazidi community either, because they all agreed. They gave me the number [for the orphanage], and they told me I could visit them and call them all the time... They used so many tricks to get us back... [E]verything was a lie... It was not a good feeling when I saw my family, I felt so terrible. It was the same day they took my children away from me.²²⁸

Sana, 22 years old, brought her daughter born of sexual violence with her to an IDP camp, but was forced to give her up after people in the community repeatedly harassed and made death threats against her, her daughter and other family members. She told Amnesty International:

[My family] were telling me even on the way [to the camp], our community will not accept this. They said these men took our honour and dignity, and committed a genocide against us. [They said] even if we, the family, accept it, the community will not accept it. We were getting threats every day, directly and indirectly. One day they threw a paper inside our tent. It said, "We will burn your tent, kill all your family, and kill the baby. All of your lives are in danger."...

When we got that last threat, we went to the camp manager... [He] said there was an organization that works on things like this... I took [my daughter] to the office, and they said to leave [her]... They said, "We will be the father and the mother for her." In that moment, it felt like my backbone broke. My whole body collapsed... They gave her to a Christian family... I had [my daughter's] photo, but one day I was missing her a lot, and I broke the phone, and now I don't even have that photo with me... I know nothing [about my daughter] since the first day I left her... If I were in another country, I would go to every office in the country to find out where she is, but here, my family would kill me.²²⁹

5.2.3 NO NEWS, SUFFERING IN SILENCE

Like Sana, all of the women interviewed who were separated from their children said they did not have access to any information about them. Rangeen explained: "A month after we arrived in Iraq, [the orphanage] cut the communication. All the time, I was trying to find a way to communicate with our children. [A humanitarian worker] tried to get some contacts. I got in touch, and after a few minutes, they blocked me again... It's like death for me to not be in touch with them."²³⁰ Janan, a 22-year-old survivor of IS captivity, said similarly: "If I got my son back, that's all I want. That's everything. For now, I just want to be updated

receiving death threats; and the last had refused to separate from her children and remained in Syria. Each woman also said that she personally knew scores of other women who had also been pressured or coerced to separate from their children. Humanitarian workers and other experts who worked with women with children born of sexual violence also confirmed this pattern.

²²⁷ Interview in May 2020.

²²⁸ Interview in May 2020.

²²⁹ Interview in May 2020.

²³⁰ Interview in May 2020.

with his photo... I don't know how they are treated... We hear rumours that the treatment is so bad... So they are suffering there, and we are burning here.”²³¹

Lisa Miara, director of the local NGO Springs of Hope Foundation, who has worked extensively with women who have been separated from children born of sexual violence, described these women's mental state: “They are so worried – they don't even know where their children are... It's like amputating a person down the middle and then saying ‘live’. How are you going to live when you are missing a part of yourself?”²³²

All the women who had been separated from their children said that they could not speak with their families or the wider community about their desire to be reunited with their children. For instance, Sana told Amnesty International: “[My family] will kill me even if I try to ask about [my daughter]... I have a necklace and one pair of shoes and one suit of her clothes, and a beautiful headband... I keep these things with my brother's wife. She keeps it secretly. If they found this, they would burn it. Almost every day, I ask her to show me, and I smell it, and she hides it again.”²³³

Instead, the women said they could only confide in other mothers in the same situation. Janan shared her experience:

*Every day I talk to my friends, until 2 or 3am, and we cry together... Even now, I have his photos, but I keep them in a secret application [on my phone]... We are very afraid to talk about [our children]. Whenever we go to Dohuk, we get thousands of questions from our family. We are not free at all. It's like we are in a prison... IS sold me many times, raped me, and now [my family and community] are doing this to me... If I could go to another country, at least I would have the freedom to ask about my children.*²³⁴

Bafreen said similarly: “My family told me the children that I left behind were a red line, and they didn't want to hear anything about it... I don't blame them because they don't know the pain I have. Is there any woman who can be separated from her children for days or years like me? The feelings you have will vanish from your body. I feel nothing.”²³⁵

ORPHANAGE IN RMELAN, SYRIA

At least 49 children born of sexual violence to Yezidi women are being held in a single orphanage in Rmelan, located in the al-Hasakah governorate in north-east Syria.²³⁶ This orphanage is run by the Women's Committee, which is a part of the Autonomous Administration based in north-east Syria. Amnesty International interviewed Zeinab Mohammed, a member of the administration of the Women's Committee. According to Zeinab Mohammed, these children are between the age of seven months and four years old, and they are looked after by 27 staff members, including two psychosocial advisors.

Zeinab Mohammed confirmed that many Yezidi women had left their children at the orphanage under duress from family and community members: “They are forced to leave the children. They do not agree with this decision... Many say they wouldn't have come forward if [Yezidi community members] hadn't found them... So many mothers are denying that they are Yezidis and are still in the camps.”²³⁷ She also said that the orphanage had no plans to place the children with adoptive families, since the mothers are known, and that she and the other members of the orphanage's administration hoped that the mothers and children could be reunited:

*We don't have the right to separate them from each other. But... there is something in the religion. If they go back, they could face difficulties and maybe even death. So we keep [the children] until they find a solution for them. The mothers and the children should be reunited... We are in a very difficult situation, in between all of this. Logically, and in a humanitarian sense, mothers and children must be together... We really need help... The problem is the future of these children. We don't want an unknown future. We want this case to be resolved. We want them to have a bright, clear, good future.*²³⁸

²³¹ Interview in May 2020.

²³² Interview in June 2020.

²³³ Interview in May 2020.

²³⁴ Interview in May 2020.

²³⁵ Interview in May 2020.

²³⁶ This figure was accurate as of 20 May 2020.

²³⁷ Interview on 20 May 2020.

²³⁸ Interview on 20 May 2020.

5.2.4 DISBELIEF AND DISAPPOINTMENT

The women interviewed by Amnesty International expressed disappointment and frustration at the way their families and communities had dealt with their situations. Sana, who was forced to give her daughter up after receiving threats, said that she “didn’t believe it” when she was told that her daughter would not be accepted by the community: “I didn’t expect to get threats from the community. I thought they would respect me after all that I saw and lived. When they told me this, I was completely unable to process it.”²³⁹ She continued:

*I don’t know what to think about my family’s reaction and my community’s reaction. I don’t have a tongue when it comes to this. I have to be silent. I want to call out my daughter’s name. I want us to be together – playing, laughing. I want to change her, sleep with her, sit down with her, tell her to do this, or don’t do this. I want to do what the other mothers are doing. If you had to abandon your only child, how would you feel? I want to be a mother. This is what I think about, but I cannot say it... I cannot express my feelings with my family.*²⁴⁰

When asked how she felt about her community’s reaction to her situation, Janan told Amnesty International:

*We have been humiliated by our community. I want to tell them and everyone in the world, please accept us, and accept our children. We are survivors of IS. Imagine the pain we have seen. I didn’t want children, I didn’t want to have a baby from these people. I was forced to have a son. I would never ask to be reunited with his father, but I need to be reunited with my son. I raised him through air strikes, I was feeding him, I kept him alive.*²⁴¹

5.2.5 HOPES FOR THE FUTURE

The majority of the women interviewed said that if they could be reunited with their children, they would have no preference as to which country or even region they lived in, as long as it was safe for them and the children. “I have no problem wherever we live,” Rangeen said. “I just want them to live with me. I want to raise them and educate them... I want a safe place and for them to go to school... If I meet them again, I will never leave them, until I die.”²⁴² Bafreen said similarly: “My dream is to live with my children, and with other survivors. I want to live close to them. We know each other’s pain. This is all I want. It doesn’t matter where I live. I just want to live in safety.”²⁴³

Every woman with a child or children born of sexual violence interviewed for this report pleaded for the national authorities and international community to act with urgency, as they found their situations unbearable. “Our patience is wearing thinner and thinner with each day,” Janan explained. “We are losing control. Please, if you do something, do it soon... I am begging you, let us live with our children.”²⁴⁴ Bafreen echoed this message: “I am so tired, but I love life, and I want to live. I tried to kill myself, but I had hope I would get reunited with my children. I just want to tell my family and the community, please solve our problems. Please, this is urgent.”²⁴⁵

Dr. Ghafouri of Joint Help for Kurdistan indicated that those interviewed by Amnesty International reflected the state of many others. “For many, it’s been more than a year, or even years. They are in terrible agony, nearing mental destruction,” she said.²⁴⁶

Four of the five women who were separated from their children said that they had attempted to commit suicide either one or multiple times. One said she had to take sleeping pills and other drugs to cope.²⁴⁷



A doll on the wall where a boy child survivor lives with his uncle and aunt in Khanke IDP Camp in Dohuk governorate. 20 April 2019. © Adam Ferguson

²³⁹ Interview in May 2020.

²⁴⁰ Interview in May 2020.

²⁴¹ Interview in May 2020.

²⁴² Interview in May 2020.

²⁴³ Interview in May 2020.

²⁴⁴ Interview in May 2020.

²⁴⁵ Interview in May 2020.

²⁴⁶ Interview on 5 May 2020

²⁴⁷ Interviews with four women with children born of sexual violence in May 2020.

THE STORY OF HANAN, AGE 24, SURVIVOR OF IS CAPTIVITY AND MOTHER TO A DAUGHTER BORN IN CAPTIVITY²⁴⁸

When they took me out of Baghouz, I didn't surrender myself. I knew they might separate me from my daughter. I went to al-Hol camp, and I tried to hide myself and my identity. [My friend] and I were together in a tent, with our children. It was right before the sunset. The [Syrian Democratic Forces] attacked our tent and told us: "You girls are Yezidis." We said no, we are not Yezidis. They forced us to leave [our tents] and took us to the camp administration. We were trying to escape, but they were always following us. I preferred to stay in al-Hol than be separated from my daughter. I was ready to stay there my whole life, with my daughter, rather than be separated.

In the beginning, after they took us [from al-Hol camp], we were in [a safe house]. They kept giving us promises, and we waited 20 days. [A Yezidi community leader] came, and he told us our children are not acceptable in the Yezidi religion. He said they will write on the ID they are Muslims, and this is against our religion. Our religion is closed. I would have preferred to get 10 bullets in my head instead of hearing this. After that, we were begging them to either register them under our names, or find any other way to not make us separate from our children, or to take us all to one place and kill us all together. It's much better to be killed than to go through this. [The community leader] said we could visit our children every three months. They told some of the mothers they could visit every weekend. They did whatever it took.

We wanted to stay there, under any circumstances, with the children. But in the end, we made a deal with our family members that if we left [the children] there, we would go back. My uncle was promising on his honour and dignity that whenever I wanted, I would visit my daughter. I went to the orphanage to leave [my daughter] there. When I left her, I was shouting at them: "Don't give my daughter to anyone. I will come back every week, every month – this is temporary!"

When I saw my uncle, his first words were: "Forget your daughter."

[My family] were telling me, forget about her, and all of your life before now. You must get married. I was saying, "No, she is my flesh and blood, she is a part of me. I didn't sleep day and night to care for her. I was covering her from the bombs. I cannot forget her. She is my daughter."

That was the biggest shock I've ever had. After everything that happened to us under IS, this happened to us by our own people. The other mothers [in the same situation] and I always say we wish we were still with IS but with our children. We wish we were in Baghouz with our children, it would be better than here. Especially now, with all the tricks of my family, I would rather be there.

All of my family members are against me. They don't let me think about her or talk about her. They tell me to forget her. It's been more than a year. I left her and I never saw her again. We were in touch with the orphanage in the beginning. Then they blocked us, all of us. She is growing, and she needs a mother. I know she is very sad, I can feel it. In the last picture, I saw her eyes, and they looked so sad. Before she was always smiling.

All of us are so tired. We don't sleep. We [mothers] call each other very late at night, and we cry for each other. We wish we were dead or anywhere else, not slowly dying every day as we are now.

My daughter was always smiling. She took care of me. I was always thinking about my parents, and she would say "Mom, please don't cry." Whenever I was crying, she would tell me to keep my cries inside my heart, and this kept me stronger. She was amazing. She didn't even know her father, so I was her father and her mother at the same time. She is like a piece of my heart.

The only thing I want is my daughter. That's all I want. Whenever I check the internet, I look at little girls' clothing. I want to buy all of the clothes for my daughter. I want to go anywhere safe, with no threats to me or my daughter. I don't mind if I am in a tent or in a desert. It's not important where I am – Europe, Iraq, wherever. I've never thought about anything else except my reunion with my daughter.

It is very hard to not talk about it. It is a pain in my heart. I am always upset, especially when I see cartoons, or see kids playing. I've gotten no support at all. My feeling is the same feeling as all the other mothers [in the same situation]. We have all thought about killing ourselves, or tried to do it.

We are so exhausted by this situation. We cannot stand it anymore. Our children are a part of us. We are human, we have our rights, and we want our children to be with us. We want to touch them. I need my daughter. Whatever we experienced with IS, we are going through something worse now. We need a solution.

²⁴⁸ Interview in May 2020. This interview has been condensed.

6. APPLICATION OF INTERNATIONAL LAW

International human rights law is legally binding on states, their armed forces and other agents. It establishes the right of victims of human rights violations to remedies, including justice, truth and reparation and the duty of states to investigate serious human rights violations and bring perpetrators to justice. Iraq is a state party to many of the principal international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

In situations of armed conflict, international humanitarian law governs the conduct of the parties to the conflict and applies alongside human rights law. International humanitarian law sets out rules of humane conduct that aim to minimize human suffering and provide special protection to civilians and those not directly participating in hostilities. Article 3, common to the four Geneva Conventions of 1949, is applicable to non-international armed conflicts, such as the conflict between IS and anti-IS forces between 2014 and 2017. States have an obligation to investigate war crimes committed by their forces, or on their territory, or over which they otherwise have jurisdiction, and to prosecute the suspects.²⁴⁹ They should also provide full reparation to victims of violations of international humanitarian law.²⁵⁰

All states have an obligation to investigate and, where enough admissible evidence is gathered, prosecute crimes against humanity and war crimes, as well as other crimes under international law, such as torture, including by exercising universal jurisdiction and other applicable domestic legislation over these crimes.

REPARATIONS

Victims of violations of international human rights law and international humanitarian law have the right to full reparation.²⁵¹ This right entails adequate, prompt and effective redress in the form of compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition.²⁵²

Reparations must be gender sensitive. They must consider pre-existing power imbalances and ensure a fair assessment of the harm inflicted, as well as equal access to and benefit from reparations. Decisions on reparations and the delivery of reparations should similarly not reinforce pre-existing patterns of gender-based discrimination, but rather strive to transform them.²⁵³

²⁴⁹ ICRC, Customary IHL, Rules 158 and 159.

²⁵⁰ ICRC, Customary IHL, Rule 150.

²⁵¹ For international human rights law, see UN General Assembly, Basic Principles on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, 2005, UN doc. A/Res/60/147, Principle VII(b). For international humanitarian law, see ICRC, Customary IHL, Rule 150.

²⁵² For the general principle, see International Court of Justice, *The Factory at Chorzow (Claim for Indemnity)*, 26 July 1927; and International Law Commission, *Draft Articles on Responsibility of States for Internationally Wrongful Acts, with Commentaries*, 2001, Article 1. For more details on the international law principles that underpin the legal framework of reparations, see Octavio Amezcua-Noriega, *Reparation principles under international law and their possible application by the International Criminal Court: Some reflections*, Essex Transitional Justice Network of the University of Essex, August 2011.

²⁵³ See, for example, Nairobi Declaration on Women's and Girls' Right to a Remedy and Reparation, 2007; *Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo*, 28 May 2014; *Guidance note of the Secretary-General*

The Iraqi Constitution guarantees “compensation to the families of the martyrs and the injured as a result of terrorist acts”.²⁵⁴ The Iraqi government has considerable experience in providing redress to victims, and it has been doing so through various reparations schemes since 1991.²⁵⁵ Iraqi Law No. 20, “Compensation for Victims of Military Operations, Military Mistakes and Terrorist Actions”, has provided redress to victims who suffered violations since 2003.²⁵⁶ Based on the framework established by Law No. 20, a Central Committee in Baghdad reached decisions on a total of 65,046 cases involving property damage and 118,894 claims involving “martyrs”, injuries and lost persons between 2011 and 2016. During this period, the total amount awarded to victims was more than 420 billion Iraqi Dinar (US\$355 million).²⁵⁷ Notably, this law only provides material compensation and restitution and fails to provide resources for survivors of sexual violence, for children recruited or used in hostilities, for those suffering from psychological trauma and for other profiles of victims common in the conflict involving IS.²⁵⁸ To meet its obligations under international law, the Iraqi authorities must therefore establish a new reparations scheme to provide full reparation to all victims of serious violations in the conflict involving IS. While the authorities took a positive step in April 2019, with the introduction of a bill known as the “Yazidi Female Survivors Law”, the draft law has several shortcomings, including a failure to include children as beneficiaries of any reparation measures.²⁵⁹

In the KRG’s response to Amnesty International’s letter outlining the findings of this report, they stated that, with respect to the draft law, “children are not adequately addressed” and that the “KRG legislative authority endorses compensation for the Yazidi survivors regardless of age and gender”.²⁶⁰ Amnesty International welcomes efforts by the KRG to extend reparations to Yazidi child survivors, whether through a new reparations scheme or by amending the draft law so that children are included as beneficiaries, and urges the authorities of the Iraqi central government and the KRG to prioritize this.

Any reparation schemes established by the Iraqi authorities to address the needs of Yazidi child survivors should include redress that is collective as well as individual. Any such schemes should be based on a thorough needs assessment of both the community and the individual victims, incorporate a gender perspective that recognises the different needs of boys and girls, take all precautionary measures to avoid re-traumatizing victims in the process, and address the full spectrum of victims’ needs, as detailed in this report, including physical health, mental health and access to education.

Reparations schemes for Yazidi child survivors could include cash benefits, which could be held in a trust fund until the child reaches an age of maturity to make financial decisions; “social service care packages”, including access to physical and mental health care; educational benefits that include full access to primary and secondary education or accelerated programmes of education; “interim care centres”, to provide a place to prepare the family and young person for the types of challenges that may arise during reintegration; and the establishment of boys’ and girls’ centres and clubs.²⁶¹

reparations for conflict related sexual violence, June 2014; Committee on the Elimination of Discrimination against Women, *General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations*, 18 October 2013; and Food and Agriculture Organization et al., *Handbook on housing and property restitution for refugees and displaced persons*, March 2007.

²⁵⁴ Constitution of the Republic of Iraq, Article 132(2), 2015.

²⁵⁵ The UN Compensation Commission was established in 1991, which provided reparations to some victims of Iraq’s invasion of Kuwait, and the Iraq Property Claims Commission was established after Saddam Hussein was removed from power, to deal with land-related violations committed under his regime. For more details, see Clara Sandoval and Miriam Puttick, *Reparations for the victims of conflict in Iraq: Lessons learned from comparative practice*, Ceasefire Centre for Civilian Rights and Minority Rights Group International, November 2017.

²⁵⁶ Iraqi Law No. 20, *Compensation for Victims of Military Operations, Military Mistakes and Terrorist Actions*, 2009, amended in 2015.

²⁵⁷ Clara Sandoval and Miriam Puttick, *Reparations for the victims of conflict in Iraq: Lessons learned from comparative practice*, Ceasefire Centre for Civilian Rights and Minority Rights Group International, November 2017, p. 18.

²⁵⁸ Since 2014, the Iraqi authorities have established some ad-hoc measures to provide financial aid to victims of conflict-related sexual violence. For more details, see Jiyon Foundation, *Reparation for victims of armed conflict in Iraq*, 28 March 2018, p. 4.

²⁵⁹ As of July 2020, this bill is with the Legal Committee, which will present it to Parliament for debate before a final vote. For the full text of the bill, see Iraq News, “Yazidi female survivors law details,” 7 April 2019, www.ina.iq/eng/4289/yazidi-female-survivors-law-details

²⁶⁰ Email from KRG International Advocacy Coordinator Dr. Dindar Zebari, on behalf of the KRG, on 23 July 2020.

²⁶¹ See Elena Birchall et al., *The International Criminal Court and reparations for child victims of armed conflict*, The Essex Transitional Justice Network of the University of Essex, August 2011.

6.1 RIGHT TO HEALTH

The ICESCR and the CRC enshrine children's right to the highest attainable standard of health, of which access to health care is an essential component.²⁶² The Iraqi government, as a party to the CRC, is obligated to "take all appropriate measures to promote [the] physical and psychological recovery" of children who have suffered "neglect, exploitation, or abuse"; torture or other ill-treatment; or due to armed conflict.²⁶³ According to the CRC, "recovery and reintegration shall take place in an environment which fosters the health, self-respect, and dignity of the child".²⁶⁴

Article 12 of the ICESCR states: "The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical *and mental* health."²⁶⁵ General Comment 14 of the Committee on Economic, Social and Cultural Rights clarifies that the "right to health facilities, goods and services" referenced in Article 12 of the Covenant includes "appropriate mental health treatment and care".²⁶⁶ The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health noted: "The right to mental health requires care and support facilities, goods and services that are available, accessible, acceptable and of good quality. Rights-based care and support for mental health is an integral part of health care for all."²⁶⁷

Successive reports by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health have noted that access to mental health care and treatment does not relate solely to accessing medical interventions such as medication. Instead, a rights-based approach to mental health care and treatment must be understood more broadly to emphasize a holistic and multisectoral process involving community support networks and a range of service providers.²⁶⁸ The Human Rights Council has stressed that "mental health and community services should integrate a human rights perspective so as to avoid any harm to persons using them and to respect their dignity, integrity, choices and inclusion in the community".²⁶⁹

These obligations include protections for specific groups, including children with disabilities; this report focuses on child survivors with physical and psychosocial disabilities in particular. According to the CRPD, persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.²⁷⁰ Effective, transparent and accessible monitoring and accountability mechanisms are an essential feature of the right to health, and this includes the collection of relevant data that is disaggregated to capture the conditions of specifically marginalized groups.²⁷¹

As discussed in Sections 4.1 and 4.2, child survivors do not have adequate access to the specialized care they need, including psychosocial services. From the accounts of the children, caregivers, humanitarian workers and doctors whom Amnesty International interviewed, the health needs of child survivors are not being met, particularly with regard to long-term, serious health conditions. While the national authorities, in cooperation with the UNFPA, have established a tailored programme to provide health care for female survivors of sexual violence, this programme is only accessible to girls over eight and is not accessible to any boys.²⁷² And the Primary Health Care Clinics in IDP camps in Dohuk governorate do not offer the specialized care required by many child survivors. The psychosocial care and support currently available is often targeted to women survivors, rather than child survivors, and is offered only a short-term basis by unqualified or insufficiently trained staff members. The authorities have an obligation to put in place accessible and acceptable health care services, and to ensure the right to mental and physical health of Yazidi child survivors.

²⁶² CRC, Article 24; ICESCR, Article 12.

²⁶³ CRC, Article 39.

²⁶⁴ CRC, Article 39.

²⁶⁵ ICESCR, Article 12, emphasis added. For more on how the protection of mental health is an essential aspect of the right to health, see Application No. 57467/15, Amnesty International's intervention in *Savran v. Denmark* (Application No. 57467/15), European Court of Human Rights, 3 June 2020.

²⁶⁶ Committee on Economic, Social and Cultural Rights, General Comment 14, The right to the highest attainable standard of health (Article 12 of the International Covenant on Economic, Social and Cultural Rights), UN Doc. E/C.12/2000/4 (2000), para 17.

²⁶⁷ Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, A/HRC/35/21, 28 March 2017, para 54.

²⁶⁸ Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, A/HRC/41/34, 12 April 2019, para 9.

²⁶⁹ UN Human Rights Council, Mental health and human rights, A/HRC/RES/36/13, 28 September 2017, preamble.

²⁷⁰ CRPD, Article 25.

²⁷¹ UN Human Rights Council, Report by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, E/CN.4/2003/58, 13 February 2003; CESCR, General Comment No. 14, paras 57 and 58.

²⁷² Interview with the director of the programme on 17 June 2020.

6.2 RIGHT TO EDUCATION

The right to education is a fundamental human right enshrined in the ICESCR, the CRC and the CRPD.²⁷³ In addition to these treaties, Iraq has ratified several other relevant international instruments that highlight the importance of the right to education and provide guarantees for all children in Iraq regardless of their status, ethnicity or situation.²⁷⁴ As with the right to health, States parties must not only refrain and prevent others from interfering with the realization of the right but also adopt appropriate measures towards its full realization.²⁷⁵ For children with disabilities, including child survivors with disabilities, the CRPD obligates state parties like Iraq to ensure they have access to inclusive education and are able to access inclusive education on an equal basis with others.²⁷⁶

The Iraqi Constitution guarantees the right to education and defines it as a “fundamental factor in the progress of society”.²⁷⁷ The constitution states that primary education is mandatory and guarantees the right to be educated in one’s “mother tongue”.²⁷⁸ All Iraqis also have the right to free education at all levels.²⁷⁹ These constitutional guarantees are complemented by federal and regional regulations.²⁸⁰ For instance, the Iraqi Minimum Standards for Education in Emergencies, developed by the Federal Ministry of Education, the Kurdistan Regional Government (KRG) Ministry of Education, school directors, teachers, international organizations and UN agencies, specifically address the post-conflict situation, and address “equal access to education, protection and well-being, facilities and services, curriculum, training, professional and development support as well as law and policy formulation”.²⁸¹

General Comments No. 11 and 13 of the Committee on Economic, Social and Cultural Rights clarify the immediate and progressive state obligations under the ICESCR, defining education as being fundamental to the fulfilment of other human rights.²⁸² The CRC and the ICESCR guarantee the right to an education without discrimination. All state parties to these treaties must ensure primary education is free, accessible and compulsory for all children and that secondary education is accessible and available, with progress made toward ensuring it is free.²⁸³

In assessing whether countries are fulfilling their obligations regarding the right to education, monitoring bodies such as the Committee on Economic, Social, and Cultural Rights and the Committee on the Rights of the Child do take into account relevant constraints such as resource limitations and armed conflict.²⁸⁴ The humanitarian crisis caused by the conflict involving IS undeniably creates significant challenges in realizing the right to education. However, a set of minimum core obligations always exists. Among these, Iraq must provide universal and compulsory primary education, which should be free to all those who need it; it must not act or fail to act in a way that hinders children’s access to education; and it must devote the maximum available resources to education.²⁸⁵

As detailed in Section 4.4 of this report, many Yezidi child survivors are not re-enrolled in school, after missing one or more years during their captivity. Although the authorities of the Iraqi central government and the KRG, with the support of international organizations and NGOs, have taken steps to address this problem by establishing programmes for accelerated learning, such programmes are limited in their reach, difficult to access for many survivors due to bureaucratic hurdles, only available for the primary-level curriculum, and, for some child survivors, are not available in their “mother tongue”. In the absence of more comprehensive and inclusive programmes, the national authorities are falling short of their obligation to fulfil these children’s right to education.

²⁷³ ICESCR, Articles 13 and 14; CRC, Articles 28 and 29; and CRPD, Article 24.

²⁷⁴ Other instruments include: the UNESCO Convention against Discrimination in Education; the International Covenant on the Elimination of All Forms of Racial Discrimination; and the Convention on the Elimination of All Forms of Discrimination against Women.

²⁷⁵ The Committee on Economic, Social and Cultural Rights, General Comment No. 13 on the Right to Education (Article 13, CESCR) E/C.12/1999/10 (1999).

²⁷⁶ CRPD, Article 24. See also UN Committee on the Rights of Persons with Disabilities, General Comment No. 4, The Right to Inclusive Education, UN Doc. CRPD/C/GC/4 (2016), para. 39.

²⁷⁷ Constitution of the Republic of Iraq, Article 34.

²⁷⁸ Constitution of the Republic of Iraq, Articles 4(1) and 34(1).

²⁷⁹ Constitution of the Republic of Iraq, Article 34(2).

²⁸⁰ See the Minister of Education Law No. 124 of 1971; Minister of Education Law No. 34 of 1998; and Minister of Education Law No. 4 of 1992/ second amendment for KR-I.

²⁸¹ Inter-Agency Network for Education in Emergencies, *Iraq Minimum Standards for Education in Emergencies*, 2018, cited in UNAMI and OHCHR, *The Right to education*, p. 7.

²⁸² See Committee on Economic, Social and Cultural Rights, General Comment No. 13 on the Right to Education (Article 13, CESCR) E/C.12/1999/10 (1999), para. 43; The Committee on Economic, Social and Cultural Rights, General Comment No 11 on Plans of action for primary education (Art 14 CESCR) E/C.12/1999/4 (1999).

²⁸³ CRC, Article 28; ICESCR, Article 13.

²⁸⁴ See British Institute of International and Comparative Law and Education Above All Foundation, *Protecting education in insecurity and armed conflict: An international law handbook*, January 2020, pp. 18, 77-78; Geneva Academy, *United Nations human rights mechanisms and the right to education in insecurity and armed conflict*, 2014, pp. 16-23 (including references to comments and reviews by those monitoring bodies).

²⁸⁵ Geneva Academy, *United Nations human rights mechanisms and the right to education in insecurity and armed conflict*, pp. 13-25.

6.3 RIGHT TO LEGAL IDENTITY

The right to be recognized as a person before the law is enshrined in the ICCPR.²⁸⁶ The UN Committee on the Elimination of Discrimination Against Women has stated that governments should guarantee that “conflict-affected women and girls have equal rights to obtain documents necessary for the exercise of their legal rights and the right to have such documentation issued in their own names, and ensure the prompt issuance or replacement of documents without imposing unreasonable conditions” as well as to “ensure the timely and equal registration of all births, marriages and divorces”.²⁸⁷

As regards the displaced, the UN Guiding Principles on Internal Displacement specify:

*The authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents.*²⁸⁸

In Iraq, having a legal identity registered via a national identity card and other civil documents – such as welfare cards, passports, and certificates of birth, death and marriage – is instrumental in exercising other rights under law, such as moving freely within the country and accessing basic services such as health care and education. Having a legal identity also enables access to humanitarian assistance for displaced persons as well as family pensions and welfare. In Iraq, children without birth certificates may be considered stateless.

Caregivers for Yezidi child survivors are often obligated to pay exorbitant costs, endure months or years of delay and travel to areas of origin perceived to be unsafe in order to obtain new or replacement civil identity documents. These barriers are contrary to the UN Guiding Principles on Internal Displacement and may violate these children's right to be recognized as a person under the law, as well as their rights to equality and non-discrimination.

In Iraq, if a child is born to unmarried parents, as in almost all cases for Yezidi women who give birth to children as a result of sexual violence in captivity, proof of paternity is required. Iraqi law does not have any provisions on the registration of children where proof of paternity cannot be established, which means that it is extremely difficult or even impossible to register such children, which may lead to the violation of their right to be recognized as a person before the law.²⁸⁹ In addition, under Iraqi law, children with Muslim or “unknown” fathers are automatically registered as Muslim.²⁹⁰ Yezidi women with children born of sexual violence who seek to register their children are therefore required to register them as Muslim, which amounts to a violation of Iraq's obligations under the ICCPR and the CRC.²⁹¹ This requirement also has the effect of preventing these children from accessing their civil documents – as well as the rights and benefits that follow from possessing such documents – and may therefore amount to a violation of their right to be recognized as a person before the law.

²⁸⁶ ICCPR, Article 16.

²⁸⁷ CEDAW, General Recommendation No. 30.

²⁸⁸ UN Guiding Principles on Internal Displacement, Principle 20(2).

²⁸⁹ Regulation of Personal Status Law of No. 32 of 1974, Article 28(1). For more details, see UNAMI and UNICEF, “Analysis of the legal framework governing civil documentation in Iraq”, 2018, p. 4.

²⁹⁰ See Articles 20 and 26 of the National Identity Card Law No. 3 of 2016, www.iraqid.hjc.iq/pdf/2016/gg0256.pdf, and Article 45 of the Juvenile Welfare Law No. 76 of 1983, www.gjpi.org/wp-content/uploads/juvenile-welfare-law-76-of-1983.pdf

²⁹¹ This requirement amounts to a violation of Iraq's obligations under Articles 18 and 27 of the ICCPR, and Articles 8, 14 and 30 of the CRC. See Section 6.4 for more details.

6.4 RIGHT TO FAMILY UNITY, NON-DISCRIMINATION AND FREEDOM OF IDENTITY AND RELIGION

Under Article 23 of the ICCPR, the family is recognized as the fundamental group unit of society and is entitled to protection by society and the State.²⁹² The right not to be subject to arbitrary or unlawful interference with the family as well as the right of everyone “to the protection of the law against such interference or attacks” is also affirmed in the ICCPR.²⁹³

Under Article 9 of the CRC, States must ensure that children are not separated from their parents against their will.²⁹⁴ The ICCPR and the CRC protect the right to a family life, and the CRC states that the family is the “fundamental unit of society and the natural environment for the growth and well-being of its members, particularly children”.²⁹⁵

The UN Committee on the Rights of the Child has stated that “preventing family separation and preserving family unity are important components of the child protection system”.²⁹⁶ Furthermore, any child who is separated from one or both parents is entitled “to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child’s best interests”.²⁹⁷ The Committee also specifies that “given the gravity of the impact on the child of separation from his or her parents, such separation should only occur as a last resort measure, as when the child is in danger of experiencing imminent harm or when otherwise necessary”.²⁹⁸

Article 2 of the CRC ensures the rights of every child, without discrimination of any kind. The UN Committee on the Rights of the Child has stated that “young children may also suffer the consequences of discrimination against their parents, for example if children have been born out of wedlock or in other circumstances that deviate from traditional values... States parties have a responsibility to monitor and combat discrimination in whatever forms it takes and wherever it occurs – within families, communities, schools or other institutions.”²⁹⁹

As detailed in Section 5.2, many women with children born of sexual violence have been pressured, coerced or deceived into giving up their children, and some are being prevented from reuniting with them. Many have been cut off from their children and are denied updates on their well-being. Such treatment amounts to a violation of the child’s and woman’s rights to a family life and to equality and non-discrimination, as well as the child’s right to maintain relations and direct contact with their parents. This treatment also directly contradicts the commitment in the “Joint Communiqué on the Prevention of and Response to Conflict-Related Sexual Violence in Iraq”, signed in 2016 by the UN and the Government of Iraq, “to ensure the provision of services, livelihood support and reparations for survivors and children born of rape”.³⁰⁰

The forcible separation of women from their children and of children from their parent meets key elements of the definition of torture in the UN Convention against Torture, to which Iraq is a party.³⁰¹ It is committed intentionally, causes severe mental suffering and is committed for discriminatory purposes. As part of their duty to protect against torture and other ill-treatment, the authorities of the Iraqi central government and the KRG have an obligation to act effectively to end these cruel separations.

The ICCPR and the CRC codify international standards on the protection of identity and freedom of religion. Article 18 of the ICCPR states that “everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”³⁰² The CRC requires States to respect the right of the child to preserve their identity without unlawful interference; to respect the child’s right to freedom of thought, conscience and religion; and to respect the rights and duties of the parents or legal guardians to provide

²⁹² ICCPR, Article 23(1).

²⁹³ ICCPR, Article 17(1) and 17(2).

²⁹⁴ CRC, Article 9.

²⁹⁵ CRC, Article 16 and preamble; ICCPR, Article 23.

²⁹⁶ Committee on the Rights of the Child, General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, para. 60, p. 14.

²⁹⁷ Committee on the Rights of the Child, General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, para. 60, p. 14.

²⁹⁸ Committee on the Rights of the Child, General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, para. 61, p. 14.

²⁹⁹ Committee on the Rights of the Child, General Comment No. 7 (2007) on implementing child rights in early childhood, para. 12, p. 6.

³⁰⁰ United Nations and the Government of Iraq, “Joint Communiqué on the prevention of and response to conflict-related sexual violence in Iraq”, 23 September 2016.

³⁰¹ UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

³⁰² ICCPR, Article 18.

direction to the child in the exercise of this right.³⁰³ In addition, the CRC specifies that children belonging to a minority shall not be denied the right, in community with other members of their group, to enjoy their own culture and to profess and practise their own religion.³⁰⁴

Under Iraqi law, children with Muslim or “unknown” fathers are automatically registered as Muslim.³⁰⁵ Yezidi women with children born of sexual violence who wish to register their children are therefore required to register them as Muslim. This requirement may constitute a violation of Iraq’s obligations under the CRC and ICCPR to protect identity and the freedom of religion, as well as a violation of these children’s right to enjoy their own culture and practice their own religion.

³⁰³ CRC, Articles 8, 14(1), 14(2).

³⁰⁴ CRC, Article 30. See also ICCPR, Article 27.

³⁰⁵ See Articles 20 and 26 of the National Identity Card Law No. 3 of 2016, www.iraqld.hjc.iq/pdf/2016/gg0256.pdf, and Article 45 of the Juvenile Welfare Law No. 76 of 1983, www.gjpi.org/wp-content/uploads/juvenile-welfare-law-76-of-1983.pdf

7. CONCLUSION AND RECOMMENDATIONS

“These children are not only survivors. They are the potential leaders of the world.”

Lisa Miara, Director of the local NGO Springs of Hope Foundation.³⁰⁶

Yezidi child survivors have endured countless assaults on their rights, dignity, family life and childhood. They will carry the scars and wounds of their experiences, sometimes apparent and often invisible, through the rest of their lives. The burdens they face are immense. Many suffer from severe, long-term health conditions, including mental health conditions. Some are unable to understand the language of the families from whom they were ripped apart. They struggle to re-enter school and rebuild a vision for their futures. And they face significant barriers to obtaining the civil documents necessary to realize their most fundamental rights.

For their part, the caregivers for child survivors are struggling to meet the children’s needs and to reintegrate them into their families and community. And many women with children born of sexual violence by IS members have been forced to separate from their children, due to religious and societal pressures.

The challenges faced by these children and their family members are only likely to increase as a result of the COVID-19 pandemic. Since February 2020, many NGOs and charities have been forced to discontinue or pause their programming, and large numbers of international staff have evacuated to their home countries. Psychosocial and other health services have become even more difficult to access, schools have closed and government offices are no longer processing the paperwork required for obtaining civil documents.

Yet these children are, in the end, survivors. To have made it through IS’s depraved policies of enslavement and abuse, they have displayed an incredible tenacity and resilience. With adequate support to address their most basic needs, they have the potential to become leaders in their communities, their country and beyond.

Although these child survivors face so many challenges, many told Amnesty International that they most want to see justice, accountability, and action to find the missing. For instance, when Nahla, a 16-year-old survivor of IS captivity, was asked what she wanted to tell those in power about her situation, she responded: “We hope that the government and international community will help our mothers, sisters, fathers and brothers to return home... Those who are still captive must be brought back.”³⁰⁷ Sahir, who was forcibly recruited by IS at the age of 15, shared his priorities:

There is so much to say. There is so much I want the world to know. Our community, we’ve been through a genocide. We became smaller. We are weak, tired, traumatized. What I want to be done

³⁰⁶ Interview in May 2020.

³⁰⁷ Interview in February 2020.

*is for the world – the Iraqi government and the international community – to think of those who are still missing, and to do something for them. Without justice, nothing can move forward. We need the people who have committed these crimes to face justice.*³⁰⁸

As the sixth anniversary of IS's 2014 assault against the Yazidi community approaches, national authorities in Iraq and the international community should heed the call of these children. They must do all they can ensure that IS members who committed crimes under international law are held accountable. To achieve meaningful justice for Yazidi child survivors, they must also ensure full reparation for the violation of their rights and provide them with the support they desperately need.

RECOMMENDATIONS

TO THE AUTHORITIES OF THE IRAQI CENTRAL GOVERNMENT AND THE KURDISH REGIONAL GOVERNMENT

ACCOUNTABILITY, JUSTICE AND REPARATION

- Take urgent steps to identify missing Yazidi children, women and men; exhume mass graves; and provide increased funding to government agencies carrying out such work;
- Bring to justice, in fair trials that preclude the death penalty, all those against whom there is sufficient admissible evidence of responsibility for crimes under international law against the Yazidi community, including crimes committed against children;
- Amend Iraqi domestic law to incorporate grave violations of international law including war crimes, crimes against humanity and genocide; and
- Establish a tailored reparations scheme to provide full reparation to victims of violations during the conflict involving IS, including compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition. As part of such a scheme:
 - Ensure the participation of victims, including boys and girls, in the drafting of any national reparation measures;
 - Establish, as a component of such reparations, a long-term, coordinated and holistic programme to provide health and psychosocial support for Yazidi child survivors of IS captivity, with the involvement of a task-force led by the General Health Directorate in Dohuk governorate and involving relevant stakeholders, including psychologists and psychotherapists; physicians; social workers; humanitarian workers; specialists on child soldiers, gender, sexual and gender-based violence and conflict-related sexual violence; and staff members of UN agencies that are providing support; and
 - Create tailored sub-programmes to meet the needs of former child soldiers as well as girl survivors of sexual violence.

RIGHT TO LEGAL IDENTITY

- Streamline and ease the administrative burdens involved in the process of obtaining new or replacement civil documentation for all those displaced by the conflict involving IS, including Yazidi child survivors;
- Provide legal and financial assistance for Yazidi child survivors to facilitate the process of obtaining civil documents;
- Ensure that all displaced people in Iraq, including Yazidi child survivors, are not required to travel to their places of origin or other areas perceived as unsafe in the process of obtaining civil identity documents; and
- Ensure, pending issuing of new documentation, that children are able to exercise their human rights including access to education, health care and freedom of movement.

³⁰⁸ Interview in May 2020.

RIGHT TO EDUCATION

- Earmark funding to enhance the quality of education for displaced students, including increased resources devoted to addressing the “insufficient quantity and inadequate training of teachers, shortages of learning materials and large class sizes” for IDP students, as stated in the 2020 Humanitarian Needs Overview for Iraq, produced by OCHA;
- Expand the options for Yezidi child survivors who have been out of school for one or more years to:
 - Ensure that entry to programmes for accelerated learning is possible for all levels of primary and secondary education and is not overly burdensome;
 - Ensure that programmes for accelerated learning are available in the “mother tongue” of child survivors;
 - Provide language lessons, as part of accelerated schooling, for children who have not been exposed to Kurmanji Kurdish during their captivity;
 - Ensure that child survivors or their caregivers are not forced to incur transportation expenses to access programmes for accelerated learning; and
 - Include elements of psychosocial programming in any programmes for accelerated learning targeted to Yezidi child survivors.

WOMEN WITH CHILDREN BORN OF SEXUAL VIOLENCE

- Ensure that all Yezidi women with children born of sexual violence are made aware of their rights to remain with their children, and cooperate with the UNHCR to identify these cases for urgent resettlement or humanitarian relocation;
- Ensure that Yezidi women with children born of sexual violence are no longer forcibly separated from their children;
- Ensure that Yezidi women with children born of sexual violence are able to live independently, safely and without threat of violence within Iraq, and are given financial assistance to do so if required;
- Enact amendments to all relevant Iraqi laws so that Yezidi women with children born of sexual violence during IS captivity are able to choose the religion of their children in their civil documentation;
- Ensure that all women and girls who return from captivity have full access to their sexual and reproductive rights; and
- Ensure the “provision of services, livelihood support and reparations to survivors and children born of rape”, in line with the government’s commitment in the 2016 Joint Communiqué on the Prevention of and Response to Conflict-Related Sexual Violence in Iraq.

TO UN AGENCIES AND INTERNATIONAL AND NATIONAL HUMANITARIAN ORGANIZATIONS OPERATING IN IRAQ, AND INTERNATIONAL DONORS

ACCOUNTABILITY, JUSTICE AND REPARATION

- Provide technical support to the Iraqi government in designing a comprehensive and gender-sensitive reparations scheme for victims of the conflict involving IS, including Yezidi child survivors and their caregivers;
- Facilitate the participation of Yezidi children who have returned from IS captivity, as well as those who are now adults but were children when in IS captivity, in any policymaking and discussions around accountability and reparations;
- Prioritize Yezidi child survivors in programming, and work with national authorities to create a tailored reparation scheme to provide health and psychosocial support to these children. As part of such an effort:

- Support such programmes so that they are of a duration to fully address the needs of child survivors;
- Invest in capacity building and formal accreditation programmes for mental health professionals, following the example set by the establishment of a master's programme at the Institute for Psychotherapy and Psychotraumatology at the University of Dohuk;
- Incorporate support for income generation and livelihoods for child survivors and their caregivers; and
- Provide tailored programming and services for former child soldiers and girl survivors of sexual violence.

RIGHTS TO LEGAL IDENTITY AND EDUCATION

- Conduct a base-level assessment to determine the number of Yezidi children who have returned from IS captivity since 2014;
- Expand legal assistance and other initiatives to assist Yezidi child survivors to obtain new and replacement civil documents, and in addition:
 - Expand the use of mobile courts and mobile documentation teams in IDP camps;
 - Raise awareness about the existence of such initiatives in IDP camps and informal settlements;
- Increase funding and resources devoted to programmes for accelerated learning, and in addition:
 - Create specific campaigns to raise awareness about such programmes in IDP camps and in informal settlements;
 - Ensure that many former child soldiers' aversion to the school environment as a result of the torture experienced at IS "institutes" is addressed in any awareness raising conducted around such programmes;
 - Ease the administrative burdens of entry to these programmes for all potential students, including Yezidi child survivors; and
 - Ensure that programmes for accelerated learning are offered in Arabic as well as Kurdish, to meet the needs of child survivors who return from captivity no longer fluent in Kurdish.

WOMEN WITH CHILDREN BORN OF SEXUAL VIOLENCE

- Ensure, in cooperation with national authorities, that all women with children born of sexual violence who are based in refugee camps in Syria and in IDP camps and other areas in Iraq are made aware of their rights to remain with their children;
- Prioritize and fast-track for resettlement Yezidi women who wish to stay with children born of sexual violence. As part of such efforts:
 - Ensure that these women's family members who wish to leave Iraq are also prioritized for resettlement, in light of the risks and stigma they may face;
 - Carry out awareness campaigns in camps such as al-Hol in north-east Syria about options for family unification, resettlement and humanitarian relocation;
- Urge those States taking part in the UNHCR resettlement program to significantly increase their resettlement commitments, including for children born of sexual violence and their Yezidi mothers;
- Consider establishing an organization or specialized programme focused on this issue with staff based in Syria, near refugee camps, and in Dohuk governorate in the KR-I; and
- Provide "services, livelihood support and reparations to survivors and children born of rape," in line with the commitment of the UN Special Representative for the Secretary-General on Sexual Violence in Conflict, as expressed in the 2016 Joint Communiqué on the Prevention of and Response to Conflict-Related Sexual Violence in Iraq.

ANNEX I: AMNESTY LETTER TO THE KRG AUTHORITIES

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Ref: TG MDE16.2020.003

President Nechirvan Barzani
President of the Kurdistan Regional Government
Kurdistan Region Presidency
Diwan
Erbil
Republic of Iraq

7 July 2020

Your Excellency

I am writing with respect to research recently conducted by Amnesty International into the situation of Yezidi children who survived captivity by the armed group calling itself the Islamic State (IS) and returned to their families in Iraq. We are requesting comments on our preliminary findings that the authorities of the Kurdistan Regional Government (KRG) and the Iraqi central government are falling short of their obligations to ensure full reparation for these child survivors and to respect and guarantee their rights to health, education, legal identity, family unity and non-discrimination.

We are planning to publish these findings in a forthcoming report, but wish to take into account information provided by the authorities of the KRG before the report is finalized. We would reflect in the report any response that the Iraqi authorities are able to provide Amnesty International. To this end, we would appreciate a response by 24 July 2020. Should we receive your response after that date, we will reflect it in our subsequent public communications.

Amnesty International's preliminary findings are based on research conducted between February and June 2020. Amnesty International delegates undertook field research in the Kurdistan Region of Iraq (KR-I) from 17 to 27 February 2020. During this mission, delegates conducted interviews with families living in and nearby two camps for internally displaced persons, located in Dohuk governorate in the KR-I. The remainder of the research was carried out through remote interviews using virtual means. In total, Amnesty International interviewed 29 survivors abducted by IS as children, 25 caregivers for child survivors, and 69 other individuals, including staff members of local and international non-governmental organizations; UN officials; government officials; doctors, psychologists and psychotherapists who have treated or worked with Yezidi child survivors of IS captivity; and journalists and other experts with specialized knowledge of the Yezidi community.

PRELIMINARY FINDINGS

In the course of our research, we found that Yezidi children who survive IS captivity face significant challenges. Many return to their families having been starved, tortured or forced to endure or participate in hostilities. In many cases, these experiences have a major impact on their health. While some children return with treatable conditions such as leishmaniasis or scabies, others have debilitating, long-term injuries, illnesses or conditions. As a result of their involvement in fighting, boys who were forcibly recruited by IS are especially likely to suffer from serious health problems or other physical disabilities, such as missing or amputated limbs. Girl survivors of rape and other sexual violence suffer unique health issues, including traumatic fistulas, scarring, and difficulties conceiving, during pregnancy or giving birth. The majority of child survivors and caregivers interviewed, as well as several humanitarian workers, said that the health needs of Yezidi child survivors are not currently being met, particularly with regard to long-term, serious health problems.

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Yezidi child survivors also regularly experience mental health issues upon their return from captivity. Almost every caregiver interviewed said that the mental health of the child survivor they looked after had been affected by their time in captivity. Mental health experts told Amnesty International that the most common disorders experienced by Yezidi child survivors include post-traumatic stress disorder (PTSD), anxiety disorders and depression, and that the symptoms and behaviours they often display include aggression, hyperactivity, flashbacks, recurrent nightmares, bed-wetting, withdrawal from social situations and severe mood swings. Every humanitarian actor interviewed by Amnesty International said that the psychosocial services and programmes currently available to Yezidi child survivors fall short of meeting these children's needs. Humanitarian workers and mental health professionals also highlighted the importance of improving the quality of existing services, and transitioning away from the current short-term approach taken by many organizations to a long-term, holistic approach, ideally coordinated under one over-arching strategy.

Humanitarian workers, mental health professionals and caregivers often spoke of particular physical and mental health challenges for two groups of child survivors: former child soldiers and girls who were subjected to sexual violence, among many other human rights abuses. Yezidi boys who were forcibly recruited by IS are often forced to endure an isolated existence upon their return, as their families and communities are not willing to acknowledge their experiences during captivity. These boys face particular challenges in reintegrating into Yezidi society, as IS subjected them to months or, more often, years of intense propaganda, indoctrination and military training, deliberately intended to erase their former identities, language, history, culture and even names. According to mental health experts, many of these boys suffer from PTSD and depression and exhibit aggressive tendencies. Their relationships with their family members and community can be fraught with tension, at times rising to threats and harassment against the boys. Humanitarian workers and mental health experts said the needs of boys who have been forcibly recruited by IS are not close to being met. More than half of the 14 former child soldiers interviewed for this report said they had not received any form of support – whether psychosocial, health, financial or otherwise – after their return.

The national authorities, with assistance from the international community, must also urgently address the needs of Yezidi girls who were subjected to sexual violence among many other serious human rights abuses during captivity. According to a doctor who has provided medical care for hundreds of Yezidi women and girl survivors, almost every girl she had treated between the ages of nine and 17 had been raped or subjected to other sexual violence. Yet according to humanitarian workers and experts, existing services and programmes provided for survivors of sexual violence have largely neglected girl survivors, focusing instead on women survivors. These experts recommended the urgent establishment of programming to ensure that the specific mental health issues and other needs of these girls are addressed. Such programmes should respond to all of the abuses girls suffered in captivity.

Many Yezidi child survivors experience significant language barriers upon return, which can prevent them from reintegrating into their families and community. While some children manage to maintain fluency in the Kurmanji dialect of the Kurdish language most commonly spoken by their families, others are unable to speak or even understand Kurmanji Kurdish when they return from captivity, and instead speak Arabic as their primary language. Humanitarian actors as well as child survivors and caregivers said there were no specific resources available to help them address and overcome these language barriers.

Yezidi child survivors experience barriers to accessing education. Although many displaced children in Iraq are unable to access education, Yezidi survivors face particular challenges, as they have almost always missed one or more years of schooling during captivity. Government authorities and international and national non-governmental organizations have taken steps to reincorporate them into the education system by establishing accelerated learning programmes. Many child survivors, however, are not registered in such programmes, whether because the children are unaware they exist or because such programmes are difficult to access due to transportation costs and other logistical and bureaucratic hurdles. As a result, many children opt out of the education system entirely.

Yezidi child survivors also face significant barriers to obtaining new or replacement civil documentation, such as identity cards, residence cards, ration cards or birth certificates, which are essential to exercising human rights such as freedom of movement and access to education in Iraq. Child survivors and their caregivers said that the process to acquire these civil documents was costly, time-consuming and often involved travel to areas they perceived as unsafe, such as Mosul or Sinjar.

Caregivers told Amnesty International that they were struggling to meet the needs of Yezidi child survivors. Many Yezidi families are impoverished – in part, in many instances, because they were forced to pay thousands or tens of thousands

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of dollars as ransom to secure the release of their children and other family members from IS captivity. Humanitarian workers also noted the absence of programmes to educate parents and caregivers about the mental health issues their children were experiencing, or on how to help their children adjust after they return from captivity.

The situation of Yezidi women who gave birth as a result of sexual violence by IS members also requires the focus of the national authorities and international community. As a result of IS's policies of systematic rape and sexual enslavement, Yezidi women and girls gave birth to hundreds of children during their captivity. Due to many factors, including the stance of the Yezidi Supreme Spiritual Council and the current legal framework of Iraq, which mandates that any child of a Muslim or "unknown" father be registered as Muslim, these children have been largely denied a place within the Yezidi community. These women have therefore been forced into keeping their children but giving up their families and community, or giving up their children but reuniting with their families and community. Many of these women are in desperate situations, whether experiencing severe mental anguish after being forced to separate from their children, or from remaining in IDP camps or with IS captors to avoid giving up their children. All five women interviewed who were separated from their children said they did not have access to them, or any way of communicating with or receiving news about them. They also said that they were unable to speak with their families or community about their desire to reunite with their children, due to fears for their own safety. Several of the women said they had attempted to commit suicide, and some had tried to do so more than once. Several said they were pressured, coerced and even deceived to leave their children behind, and were also falsely assured that they would be able to visit or reunite with them at a later stage. All pleaded the national authorities and international community to act quickly, as they found their current situations unbearable.

We welcome your response to any of the findings discussed above, as well as to the following questions:

1. What steps, if any, is the KRG taking to ensure that Yezidi child survivors are provided with full reparation, in line with its obligations under international law?
 - Are there plans to amend the proposed "Yezidi Female Survivors Law" so that Yezidi child survivors are included as beneficiaries of reparation measures?
 - Are there plans to amend the proposed bill so that caregivers for Yezidi child survivors are also included as beneficiaries?
 - If not, does the KRG plan to introduce a separate bill to address reparation for Yezidi child survivors and their caregivers?
 - How will the KRG ensure that Yezidi child survivors are involved in the design and implementation of any such reparation measures?
2. What level of funding, if any, has the KRG allocated for programmes to address the health needs of Yezidi child survivors, including both physical health and mental health? If no funding has been allocated, does it have any plans to do so?
3. What steps, if any, is the KRG taking to expand accelerated learning programs and other options for Yezidi child survivors in Dohuk governorate, so that a greater number of these children are able to re-enter the formal education system?
4. What steps, if any, is the KRG taking to provide language courses for those child survivors who no longer speak or understand Kurmanji Kurdish?
5. What steps, if any, is the KRG taking to streamline the process of obtaining new and replacement civil documents for Yezidi child survivors, and to ease the administrative and logistical burden involved in obtaining such documents?
6. Does the KRG have any plans to create tailored programmes to address the health, psychosocial, educational and other needs of Yezidi former child soldiers and Yezidi girl survivors of serious human rights abuses, including sexual violence? What steps, if any, is the KRG taking to address these children's rehabilitation and reintegration into their families and community?
7. What is the basis for the requirement under Iraqi law that any child born to a Muslim or unknown father must be registered as Muslim? What steps, if any, are the authorities of the KRG taking to ensure this requirement

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does not lead to human rights violations, as in the situation of Yazidi children born of sexual violence during IS captivity?

Amnesty International would be grateful to receive a response at your earliest convenience. If you have any queries about the nature of our requests, please do not hesitate to let us know so that we can clarify them for you. As noted above, we plan to publish our report in the coming weeks and respectfully repeat our request that you respond to us by 24 July 2020, at least to indicate whether or not you would be able to send us relevant information.

Best regards,



Lynn Maalouf
Deputy Regional Director
Middle East and North Africa Regional Office
Beirut - Lebanon

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ANNEX II: RESPONSE FROM THE KRG AUTHORITIES

Response of the KRG International Advocacy Coordinator, on behalf of the KRG
23 July 2020

We confirmed from the Ministry of Endowment and Religious Affairs that the Directorate of Yazidi Affairs, along with committees created by PM and President offices, have painstakingly sought to fulfil the necessities of Yazidi children and ease the traumas they witnessed over the past years. Moreover, KRG has established several coordinative networks with different local and international NGOs in this respect. Issues such as shortage of funds, post-traumatic diseases, and obtaining legal documentations still remain at stake; in addition to obstructions due to Covid-19 outbreak.

ISIS treatment with Yazidi captives has been vicious and inhuman, thus, the KRG has put substantial efforts to remove some of their experienced pain by providing sufficient physical and psychological treatment as well as providing maternity services and medical equipment in the camps.

In response to your specific questions:

1- The law should be enacted from Baghdad as the Federal Government has jurisdiction on most of the territories belonging to the Yazidi population. In this respect, a law is already drafted in the Iraqi Council of Representatives, and the process is ongoing to enact it. It is entitled "the Female Survivors Law". The draft law mostly pertains to compensations-mostly to women. The children are not adequately addressed in the law, however. KRG legislative authority endorses compensation for the Yazidi survivors regardless of age and gender, with the financial burden to be delegated to the Federal Government.

2 and 3- There is a project coordinated between the Duhok Investigative Commission and GIZ organization. The project contains descriptive interviews and profound data. It partly recommends the inclusion of children in the draft law mentioned above. It is already finalized, and the report will be available in both English and Arabic versions in the next week. We will forward a copy to you as soon as it arrives.

4- There has been no enforcement by the KRG to make religious and ethnic components study in Kurdish and they have been supported to study in their mother language. Many schools exist in the Kurdistan Region specialized in teaching in all components' languages. A special body in the General Directorate of Education in Dohuk supervises the study of the Yazidi religion. Since 1999, Yazidi students have been studying their religion in public schools in their own areas from the first stage to the twelfth stage. This criteria covers the children who dwell in the camps too, of course. However, most of the children and their families in the camps are seeking refuge in a foreign country; and only few applied for the available local education.

5- So far, only 6 children have been identified in KR-I that belong to unknown ISIL fathers. In Duhok, the children who don't have parents or guardians, or who arrived in the camps along with other families, are registered and documented. Moreover, legal agents are provided to finalize their papers in coordination with the Personal Status Court of Duhok. The process of obtaining IDs, citizenship, marriage papers, and etc. is ongoing.

6- Medical and psychological support are provided for the women who faced sexual violence by ISIL terrorists. The cadres employed are trained by Duhok Directorate of Health, and INGOs such as UNICEF, UNFPA, and GIZ. Specialized centers are also dedicated that strive to promote societal reintegration and recovery. Furthermore, Duhok Governorate has cooperated with GIZ and UNICEF to enroll the female Yazidi survivors in the educational process.

7- The Iraqi law in this respect has profound shortcomings; it stipulates that children born from unknown fathers be registered as Muslims and that hindered the documentation process. Currently, the efforts are resuming to amend the law, and remarkable steps have been made in this regard.

Sincerely,

--

Dr. Dindar Zebari
KRG International Advocacy Coordinator
Council of Ministers

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LEGACY OF TERROR

THE PLIGHT OF YEZIDI CHILD SURVIVORS OF ISIS

The armed group calling itself the Islamic State (IS) committed war crimes, crimes against humanity and what the UN has characterized as genocide against the Yezidi community in Iraq. While thousands of children were killed or abducted, hundreds have survived and returned to their families in Iraq. These child survivors now face significant challenges. Their physical health is often severely compromised; many experience mental health conditions; they sometimes cannot speak or even understand the dialect of Kurdish spoken by their families; and many are unable to re-enrol in school after missing several years. Yezidi women with children born of sexual violence by IS members likewise face difficult challenges, as many have been forced to separate from their children due to religious and societal pressures and are in a state of severe mental anguish.

Amnesty International's research shows that Iraq's national authorities are falling short of their obligations to respect and guarantee the rights of these women and children. The national authorities, with the support of the international community, must make a drastic shift in policy to ensure Yezidi child survivors are given the support they deserve, including through full reparation. They must also act urgently to reunite women with their children born of sexual violence and prioritize these women and children for resettlement or humanitarian relocation.