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Free Yezidi Foundation Public Memo – Lafarge Case

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Memorandum

September 22, 2022

This memorandum supports the Free Yezidi Foundation's (FYF) filing in the Lafarge Case concerning allegations of complicity in crimes against humanity, including genocide. The Lafarge Corporation continuously operated its factory and, moreover, financially contributed to the Islamic State of Iraq and al-Sham (IS, ISIS, Daesh) between 2013 and 2014, inclusive of the period between 3 August 2014 and 19 September 2014. During those weeks, and represented in a timeline annexed to this memorandum, international and French media, international organizations, and governments extensively reported on and condemned IS acts committed against the Yezidi population that could constitute crimes against humanity under the French Criminal Code (FCC), as well as under customary international law. Accordingly, FYF, as Civil Party in the Lafarge Case, presents certain factual and legal bases of crimes committed against Yezidi victims and survivors that could demonstrate Lafarge's knowledge of, and complicity in, crimes against humanity.

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I. Knowledge of the Yezidi population as victims and survivors of IS crimes

French cement company Lafarge operated a factory in Jalabiya, Syria from 2010 until 19 September 2014. During 2013 and 2014, Lafarge paid money to IS to ensure safe passage for its equipment and personnel. Currently, Lafarge faces charges for complicity in crimes against humanity under Articles 211-1 and 212-1 of the French Criminal Code (FCC)¹ for acts committed by IS from 2013 to 2014. Between 3 August 2014 and 19 September 2014² and thereafter, IS targeted the Yezidi community. Yezidis constitute a civilian population that has been based largely in Sinjar and other areas of Iraq for centuries.³ The FCC penalizes crimes against humanity, inclusive of genocide, killing, extermination, enslavement, deportation and forcible labor, imprisonment or other severe deprivation of liberty, torture, rape and other sexual violence, persecution, and other inhumane acts. Additionally, France should have jurisdiction over the customary international law crime of the slave trade.

Numerous news articles, United Nations and other organization reports, and government statements and interventions reported specific criminal acts and publicly condemned IS crimes perpetrated specifically against the Yezidi population throughout the relevant period.⁴ Lafarge operated in a territory engulfed by armed conflict and should have had access to press reports of human rights violations and international crimes. French diplomatic updates or country security briefings about IS’s criminal conduct also should have informed Lafarge about exposure to property damage and threats to its personnel.

In addition, Lafarge was governed by an internal Code of Business Conduct that held the company to a standard of respect for human rights in the conduct of its business.⁵ Lafarge committed itself to “reflect the principles and standards enshrined in the UN Global Compact and

¹ [French Criminal Code](#) (FCC), arts. 211-1—215-4. The crimes against humanity alleged in this case fall under France’s Code Pénal [Criminal Code] (FCC) as articulated in Articles 211-1 and 212-1. This brief cites the Rome Statute of the International Criminal Court (RS) where these crimes intersect. Provisions of the RS are cited in the FCC’s application, by the French Code of Criminal Procedure (FCCP) that provides for jurisdiction for crimes punishable under the RS. FCCP, art. 689-11 (Fr.) (“Hors les cas prévus au sous-titre Ier du titre Ier du livre IV pour l’application de la convention portant statut de la Cour pénale internationale, ouverte à la signature à Rome le 18 juillet 1998, peut être poursuivie et jugée par les juridictions françaises . . .”).

² On August 3, 2014, IS initiated its massacre and other attacks against Yazidis in Sinjar. See Indep. Int’l Comm’n of Inquiry on the Syrian Arab Republic, [“They Came to Destroy”: ISIS Crimes Against the Yazidis](#), ¶ 1, U.N. Doc. A/HRC/32/CRP.2 (June 15, 2016). On September 19, 2014, Lafarge was forced to close its factory in Syria. See [French Cement Maker Lafarge ‘Made Deals with IS Group in Syria’](#), FR. 24 (June 22, 2016, 8:35 AM).

³ The Yezidi population has inhabited northwestern Iraq for centuries. Yezidi communities exist also in Turkey, Germany, and elsewhere. Avi Asher-Schapiro, [Who Are the Yazidis, the Ancient, Persecuted Religious Minority Struggling to Survive in Iraq?](#), NAT’L GEOGRAPHIC (Aug. 11, 2014). Yezidism combines elements Christianity and Islam. Iraqi Yezidis “are still regarded as the guardians of the Yazidi religious tradition and the keepers of the main Yazidi places of worship.” Matthew Grimm, [A Brief History of the Yazidis of Iraq](#), JSTOR DAILY (Sept. 20, 2014).

⁴ See Annex, Timeline.

⁵ LAFARGE AND ITS SUPPLIERS, [CODE OF BUSINESS CONDUCT](#) 1 (2014) (citing the UN Global Compact and the OECD Guidelines for Multinational Enterprises).

the OECD Guidelines for Human Rights for Multinational Enterprises in its policies and day-to-day business practices.”⁶ Lafarge pledged that it would not be complicit in human rights abuses and would ensure that their activities were not causing or contributing to adverse human rights impacts where they operate.⁷ Therefore, Lafarge had a self-imposed duty to know whether its business conduct aligned with its internal Code’s requirement to respect and protect human rights.

II. Crimes against humanity perpetrated by IS against the Yezidi population between 3 August 2014 and 19 September 2014

The elements of crimes against humanity are: (1) the contextual/jurisdictional elements—widespread or systematic attack directed at a civilian population; (2) the *mens rea*—knowledge of the attack and that the act committed comprises part of that attack; and (3) the *actus reus*—commission of the constituent crimes.⁸

A. Crimes Against Humanity Contextual Elements (*Chapeau* Requirements)

Under the FCC, a crime against humanity is established whenever a perpetrator intentionally commits a constituent act against a civilian population in the context of a widespread or systematic attack.⁹ Under the Rome Statute of the International Criminal Court (RS), an attack directed against a civilian population is “a course of conduct involving the multiple commission of acts . . . against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack.”¹⁰ A course of conduct covers a “series or overall flow of events, as opposed to a mere aggregate of random or isolated acts,”¹¹ where the civilian population is the target and not an incidentally victimized by the attack.¹² “Widespread” connotes the attack’s large-scale nature, meaning the number of acts inflicted and of persons targeted. “Systematic” is determined by the organized nature of the acts, the existence of patterns of criminal conduct, and

⁶ UN Global Compact, [The Ten Principles of the UN Global Compact](#) (last visited June 21, 2022) (In 2014, Lafarge’s Code of Business Conduct explicitly followed the United Nations Global Compact Principles, which include Principle 2: “mak[ing] sure that [Lafarge] is not complicit in human rights abuses.”); OECD Guidelines for Multinational Enterprises, [Human Rights](#) (2011).

⁷ [The UN Global Compact](#), *supra* note 6; OECD Guidelines for Multinational Enterprises, [Human Rights](#), *supra* note 6.

⁸ See Rome Statute, [Elements of Crimes](#), at art. 7.

⁹ FCC, art. 212-1; [Rome Statute](#), art. 7(1), July 17, 1998, 2187 U.N.T.S. 38544.

¹⁰ [Rome Statute](#), *supra* note 9, art. 7(2)(a).

¹¹ [Prosecutor v. Tadić](#), Case No. IT-94-1-T, Opinion and Judgment, ¶ 644 (Int’l Crim. Trib. for the Former Yugoslavia May 7, 1997) (citing [Memorandum of the Secretary-General on The Charter and Judgment of the Nürnberg Tribunal: History and Analysis](#), at 67 (U.N. Publication, Sales No. 1949, V. 7); HISTORY OF THE UNITED NATIONS WAR CRIMES COMMISSION AND THE DEVELOPMENT OF LAWS OF WAR 179 (The United Nations War Crimes Commission: London, 1948)); *see also* [Prosecutor v. Ongwen](#), ICC-02/04-01/15, Judgment, ¶ 2674 (Feb. 4, 2021) (citing [Prosecutor v. Ntaganda](#), ICC-01/04-02/06, Judgment, ¶ 662 (July 8, 2019)).

¹² [Prosecutor v. Kunarac](#), Case No. IT-96-23 & IT-96-23/1-A, Judgment, ¶ 91 (Int’l Crim. Trib. for the Former Yugoslavia June 12, 2002) [hereinafter [Prosecutor v. Kunarac \(Appeals\)](#)]; [Prosecutor v. Kunarac](#), Case No. IT-96-23-T & IT-96-23/1-T, Judgment, ¶ 421 (Int’l Crim. Trib. for the Former Yugoslavia Feb. 22, 2001) [hereinafter [Prosecutor v. Kunarac \(Trial\)](#)]; [Prosecutor v. Stakić](#), Case No. IT-97-24-T, Judgment, ¶ 624 (Int’l Crim. Trib. for the Former Yugoslavia July 31, 2003); [Prosecutor v. Vasiljević](#), Case No. IT-98-32-T, Judgment, ¶ 33 (Int’l Crim. Trib. for the Former Yugoslavia Nov. 29, 2002); *see also* [Prosecutor v. Ongwen](#), *supra* note 11, ¶ 2675 (Feb. 4, 2021) (citing [Prosecutor v. Ntaganda](#), ICC-01/04-02/06, Judgment, ¶ 668 (July 8, 2019); [Prosecutor v. Katanga](#), ICC-01/04-01/07-3436-t, Judgment, ¶ 1104 (Mar. 7, 2014)).

the improbability that such acts occur randomly or accidentally.¹³ The mental elements, “[i]n the case of an emerging widespread or systematic attack against a civilian population” are that the perpetrator knew of the attack against the civilian population and that the perpetrator knew that their actions were “intended to further such an attack.”¹⁴

On 12 August 2014, United Nations (UN) human rights experts called for immediate action to protect Yazidis’ human rights, based upon “verified reports that ‘IS’ is systematically hunting down members of minority groups who remain trapped in areas under their control and giving them the ultimatum, ‘convert or die.’”¹⁵ The UN stated that the Yazidi community and other minority groups’ “[f]reedom of religion and belief [was] being denied in the most gross and systematic way possible—through the attempted extermination of religious minorities.”¹⁶ On 15 August 2014, the UN Security Council adopted Resolution No. 2170.¹⁷ The Resolution demanded that IS and affiliated entities “cease all violence and terrorist acts” and noted that attacking the civilian population based on an ethnic or religious identity may constitute crimes against humanity.¹⁸

On 25 August 2014, UN High Commissioner for Human Rights Navi Pillay explicitly condemned IS for committing “widespread and systematic deprivation of human rights in Iraq.”¹⁹ The human rights violations included “targeted killings, forced conversions, abductions, trafficking, slavery, sexual abuse, destruction of places of religious and cultural significance, and the besieging of entire communities because of ethnic, religious or sectarian affiliation. Among those directly targeted have been . . . Yazidi.”²⁰ Pillay asserted that IS fighters are “systematically targeting men, women and children based on their ethnic, religious or sectarian affiliation and are ruthlessly carrying out widespread ethnic and religious cleansing in the areas under their control. Such persecution would amount to crimes against humanity.”²¹ Amnesty International documented IS murders and abductions of “hundreds, possibly thousands” of individuals from

¹³ [Prosecutor v. Kunarac \(Appeals\)](#), *supra* note 12, ¶ 94; [Prosecutor v. Tadić](#), *supra* note 11, ¶¶ 646–48; [Prosecutor v. Rutaganda](#), Case No. ICTR-96-3-T, Judgment, ¶¶ 67–69 (Dec. 6, 1999); [Prosecutor v. Kayishema](#), Case No. ICTR-95-1-T, Judgment, ¶¶ 122–23 (May 21, 1999); [Prosecutor v. Kordić](#), Case No. IT-95-14/2-A, Judgment, ¶ 94 (Int’l Crim. Trib. for the Former Yugoslavia Dec. 17, 2004); [Prosecutor v. Blagojević](#), Case No. IT-02-60-T, Judgment, ¶¶ 545–46 (Int’l Crim. Trib. for the Former Yugoslavia Jan. 17, 2005); *see also* [Prosecutor v. Ongwen](#), *supra* note 11, ¶¶ 2681–82 (Feb. 4, 2021) (citing [Prosecutor v. Ntaganda](#), ICC-01/04-02/06, Judgment, ¶¶ 691–92 (July 8, 2019); [Prosecutor v. Katanga](#), *supra* note 12, ¶ 1123 (Mar. 7, 2014)).

¹⁴ Rome Statute, [Elements of Crimes](#), *supra* note 8, art. 7.

¹⁵ [Iraq: “Immediate Action Needed to Protect Human Rights of Yazidis in Grave Danger” - U.N. Experts](#), OFF. OF THE HIGH COMM’R FOR HUM. RTS. (Aug. 12, 2014).

¹⁶ [Iraq: “Immediate Action Needed to Protect Human Rights of Yazidis in Grave Danger” - U.N. Experts](#), *supra* note 15.

¹⁷ U.N.S.C. Res. 2170 (Aug. 15, 2014).

¹⁸ U.N.S.C. Res. 2170, ¶ 4 (Aug. 15, 2014); Press Release, Security Council, [Security Council Adopts Resolution 2170 \(2014\) Condemning Gross, Widespread Abuse of Human Rights by Extremist Groups in Iraq, Syria](#), U.N. Press Release SC/11520 (Aug. 15, 2014).

¹⁹ U.N. High Commissioner for Human Rights, [Iraqi Civilians Suffering “Horrific” Widespread and Systematic Persecution](#) (Aug. 25, 2014).

²⁰ [Iraqi Civilians Suffering “Horrific” Widespread and Systematic Persecution](#), *supra* note 19.

²¹ [Iraqi Civilians Suffering “Horrific” Widespread and Systematic Persecution](#), *supra* note 19.

minority communities, including the Yezidi community, and forced displacement of over 830,000 minority individuals from 10 June 2014 to 2 September 2014.²²

IS conduct, during the relevant period, as reported by the media, seems to have satisfied the contextual elements of crimes against humanity. IS conduct seemingly constituted more than an aggregate of random or isolated acts.²³ Such publicly acknowledged, targeted acts would likely demonstrate IS' knowledge and furtherance of a widespread and systematic attack directed at the Yezidi civilian population.²⁴

B. Genocide

Under Article 211-1 of the FCC, genocide²⁵ constitutes intentionally committing or causing to be committed any of the following acts as part of a concerted plan aimed at the total or partial destruction of a national, ethnic, racial, or religious group,²⁶ or of a group determined based on any other arbitrary criterion.²⁷ Objective elements that establish the crime of genocide 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;

²² AMNESTY INT'L, [ETHNIC CLEANSING ON A HISTORIC SCALE: ISLAMIC STATE'S SYSTEMATIC TARGETING OF MINORITIES IN NORTHERN IRAQ](#) 4 (2014).

²³ [Prosecutor v. Ongwen](#), *supra* note 11, ¶ 2674.

²⁴ German Higher Regional Courts of Düsseldorf and Hamburg ruled that IS members perpetrated crimes against humanity and genocide against the Yezidi population in Iraq and Syria, including in and around the relevant period between August 3, 2014 and September 18, 2014. See [Omaima A.](#), TRIAL INT'L (Mar. 19, 2021) (discussing the conviction of Omaima A. by the Higher Regional Court in Hamburg for, *inter alia*, the crime against humanity of enslavement of a thirteen-year-old Yezidi girl); [German Woman Convicted Over Her Time With IS in Syria](#), AP NEWS (Apr. 21, 2021) (reporting on Nurten J., who was convicted in Germany of war crimes and aiding and abetting crimes against humanity against Yezidi individuals in Syria); Oberlandesgericht Düsseldorf [OLG] [Higher Regional Court of Düsseldorf] Apr. 21, 2021, [7 StS 2/20 \(Ger.\)](#), (Nurten J. verdict); [German Court Convicts a Third ISIS Member of Crimes Against Humanity Committed Against Yazidis](#), DOUGHTY ST. CHAMBERS (June 18, 2021) (reporting on the Higher Regional Court of Düsseldorf's conviction of Sarah O. for aiding and abetting rape, enslavement, and religious and gender-based persecution as crimes against humanity against the Yazidi population); [German Court Sentences ISIL Member to 10 Years in Prison](#), ALJAZEERA (Oct. 25, 2021) (discussing Munich's Higher Regional Court's conviction of Jennifer Wenisch for, *inter alia*, the crime against humanity of enslavement); [Germany/Iraq: World's First Judgment on Crime of Genocide Against the Yazidis](#), AMNESTY INT'L (Nov. 30, 2021) (discussing the Higher Regional Court's conviction of Taha Al J. for genocide and crimes against humanity "for purchasing a Yazidi woman and her five-year-old daughter as slaves in 2015." The court "held that Taha Al J. – as a member of IS – intended to eliminate the religious minority of the Yazidis by purchasing the two Yazidi women and enslaving them."); Hanorah Hardy, [German Court Convicts ISIS Member of Genocide Against Yazidis in Historical Trial](#), GLOB. HUM. RTS. DEFENCE (Dec. 3, 2021) (adding that the Yezidi woman and her daughter were "held captive, beaten and subject to various other forms of violence, including rape and sexual assault." The daughter "died after [the defendant] chained her outdoors to the bars of a window and left her in the heat as a punishment for wetting the bed.").

²⁵ Note that genocide is considered a crime against humanity, rather than a distinct crime, under the FCC.

²⁶ Multiple groups may be targeted simultaneously. Committing a prohibited act against more than one protected group does not negate or dilute a perpetrator's genocidal intent. "When more than one group is targeted, the elements of the crime of genocide must be considered in relation to each group separately." [Prosecutor v. Karadžić](#), Case No. IT-95-5/18-T, Judgment, ¶ 541 (Int'l Crim. Trib. for the Former Yugoslavia Mar. 24, 2016).

²⁷ FCC, *supra* note 1, art. 211-1.

- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.²⁸

Specific intent may be established *via* direct or circumstantial evidence,²⁹ including the very context in which the genocidal acts were perpetrated.³⁰ Other indicators include sexualized and gendered violence,³¹ the number of victims,³² the extent of bodily injury, or the methodical manner of killing.³³ Enslavement and slave trading can also constitute prohibited acts when committed under the requisite genocidal intent.

C. Killing and Extermination

Under Article 212-1 of the FCC, killing (“voluntary attack on life”) and extermination are crimes against humanity.³⁴ The RS defines murder as causing the death of one or more persons.³⁵ It defines extermination as causing the death of one or more persons, “including by inflicting conditions of life calculated to bring about the destruction of part of a population.”³⁶ Extermination may be committed by directly or indirectly killing persons, including by “the deprivation of access to food and medicine.”³⁷

D. Enslavement

Codified in Article 212-1(3) of the FCC,³⁸ enslavement is defined under the RS as the exercise of “any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty.”³⁹ Acts of a sexual nature, including control over sexuality, sexual integrity, and sexual and reproductive autonomy, also are evidence of powers attaching to the rights of ownership over a person.⁴⁰

²⁸ [Rome Statute](#), *supra* note 9, art. 6; [FCC](#), *supra* note 1, art. 211-1.

²⁹ [Prosecutor v. Kayishema](#), *supra* note 13, ¶ 93.

³⁰ [Prosecutor v. Blagojević](#), Case No. IT-02-60-A, Judgment, ¶ 123 (Int’l Crim. Trib. for the Former Yugoslavia May 9, 2007) (noting that “genocidal intent may be inferred, among other facts, from evidence of other culpable acts systematically directed against the same group”); [Prosecutor v. Akayesu](#), Case No. ICTR-96-4-T, Judgment, ¶¶ 523, 730 (Sept. 2, 1998).

³¹ See [Prosecutor v. Akayesu](#), *supra* note 30, ¶ 732.

³² [Prosecutor v. Kayishema](#), *supra* note 13, ¶¶ 96–97 (May 21, 1999); [Prosecutor v. Krstić](#), Case No. IT-98-33-A, Judgment, ¶¶ 12–13 (Int’l Crim. Trib. for the Former Yugoslavia Apr. 19, 2004); [Prosecutor v. Blagojević](#) *supra* note 13, ¶ 668; [Prosecutor v. Gacumbitsi](#), Case No. ICTR-2001-64-T, Judgment, ¶ 253 (June 17, 2004).

³³ [Prosecutor v. Kayishema](#), *supra* note 13, ¶ 93; [Prosecutor v. Gacumbitsi](#), *supra* note 32, ¶ 253.

³⁴ [FCC](#), *supra* note 1, art. 212-1(1), (2).

³⁵ Rome Statute, [Elements of Crimes](#), *supra* note 8, art. 7(1)(a).

³⁶ Rome Statute, [Elements of Crimes](#), *supra* note 8, art. 7(1)(b).

³⁷ Rome Statute, [Elements of Crimes](#), *supra* note 8, art. 7(1)(b) n.8–9.

³⁸ [FCC](#), *supra* note 1, art. 212-1(3). Note that the slave trade is an international crime under customary international law and is a distinct crime from enslavement.

³⁹ Rome Statute, [Elements of Crimes](#), *supra* note 8, art. 7(1)(c); [FCC](#), *supra* note 1, art. 224-1A.

⁴⁰ Patricia Viseur Sellers & Jocelyn Getgen Kestenbaum, [The International Crimes of Slavery and the Slave Trade: A Feminist Critique](#), in [GENDER AND INTERNATIONAL CRIMINAL LAW](#) 49–55 (Valerie Oosterveld, Indira Rosenthal & Susana SaCouto eds., forthcoming 2022); [Prosecutor v. Kunarac \(Trial\)](#), *supra* note 12, ¶¶ 540, 542–43 (affirmed on appeal in [Prosecutor v. Kunarac \(Appeals\)](#), *supra* note 12, ¶¶ 119–124); see also [Amicus Brief](#) ¶¶ 8–12, Ashraf et al., [Prosecutor v. Ongwen](#), ICC-02/04-01/15A (Doc. No. 1934, Dec. 23, 2021).

E. Deportation and Forcible Transfer

FCC Article 212-1(4) proscribes deportation and the forcible transfer of a population as crimes against humanity.⁴¹ Deportation, forcible transfer, or forcible displacement are acts committed, “without grounds permitted under international law, against one or more persons to another State or location, by expulsion or other coercive acts” who were “lawfully present in the area from which they were so deported or transferred”. The perpetrator must have been “aware of the factual circumstances that established the lawfulness of such presence.”⁴² “Forcibly” includes both physical force and threat of force or coercion, “such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power against such person or persons or another person, or by taking advantage of a coercive environment.”⁴³

F. Imprisonment or Other Severe Deprivation of Liberty

The FCC codifies imprisonment as a crime against humanity in Article 212-1(5).⁴⁴ Imprisoning one or more persons or otherwise severely depriving one or more persons of physical liberty, where the “gravity of the conduct was such that it was in violation of fundamental rules of international law” and “[t]he perpetrator was aware of the factual circumstances that established the gravity of the conduct,” constitutes the crime against humanity of imprisonment or other severe deprivation of physical liberty under the RS.⁴⁵

G. Torture

The crime against humanity of torture is established when “[t]he perpetrator inflicted severe physical or mental pain or suffering upon one or more persons” while “[s]uch person or persons were in the custody or under the control of the perpetrator,” and “[s]uch pain or suffering did not arise only from, and was not inherent in or incidental to, lawful sanctions.”⁴⁶ Further, French courts have universal jurisdiction over torture and other cruel, inhuman or degrading treatment or punishment under the French Code of Criminal Procedure⁴⁷ and, while the FCC does not define torture, Article 689-2 of the FCCP refers to Article 1 of the United Nations Convention against Torture (CAT).⁴⁸

⁴¹ FCC, *supra* note 1, art. 212-1(4).

⁴² Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(d).

⁴³ Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(d) n.12.

⁴⁴ FCC, *supra* note 1, art 212-1(5).

⁴⁵ Rome Statute, *Elements of Crimes*, *supra* note 8, art. (7)(1)(e).

⁴⁶ Rome Statute, *Elements of Crimes*, *supra* note 8, art. (7)(1)(f). There is no specific purpose that must be proven for this crime. Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(f) n.14.

⁴⁷ French Code of Criminal Procedure, FCCP, art. 689-2. OPEN SOCIETY JUSTICE INITIATIVE & TRIAL INTERNATIONAL, [UNIVERSAL JURISDICTION LAW AND PRACTICE IN FRANCE](#) 7 (2019).

⁴⁸ OPEN SOCIETY JUSTICE INITIATIVE & TRIAL INTERNATIONAL, *supra* note 47, at 7.

H. Rape and Other Sexual Violence

To establish the crime against humanity of rape,⁴⁹ the perpetrator must invade “the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body.”⁵⁰ The perpetrator must commit such conduct “by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion” must have been against someone incapable of giving consent.⁵¹

To establish sexual violence under the RS, the perpetrator must have committed a sexual act against someone or caused someone to engage in such an act by force, threat of force, or coercion, “such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power . . . or by taking advantage of a coercive environment or such person’s or persons’ incapacity to give genuine consent.”⁵² This conduct must be “of a gravity comparable to” rape, sexual slavery, enforced prostitution, forced pregnancy, or enforced sterilization. The perpetrator must have been “aware of the factual circumstances that established the gravity of the conduct.”⁵³

I. Persecution

The elements to establish the crime against humanity of persecution, codified in FCC Article 212-1(8) and defined under the RS, are: (1) The perpetrator severely deprived at least one persons of fundamental rights; (2) The perpetrator targeted such person(s) because of the identity of a group or collectivity, or targeted the group or collectivity as such; and (3) “Such targeting was based on political, racial, national, ethnic, cultural, religious, gender . . . , or other grounds that are universally recognized as impermissible under international law.”⁵⁴ As noted, persecution involves the severe deprivation of fundamental human rights, such as the rights to life, liberty, security of persons, non-discrimination, freedom of religion, freedom from torture, and the right to not be held in slavery or be slave traded.⁵⁵

⁴⁹ FCC, *supra* note 1, art. 212-1(7).

⁵⁰ Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(g)-1(1).

⁵¹ Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(g)-1(2).

⁵² Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(g)-6(1).

⁵³ Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(g)-6(2), (3).

⁵⁴ Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(h); FCC, *supra* note 1, art. 212-1(8). The RS requires that conduct constituting persecution be “committed in connection with any [other crime against humanity] or any crime within the jurisdiction of the Court.” Rome Statute, *Elements of Crimes*, *supra* note 8, art. 7(1)(h)(4). However, the FCC does not appear to require this element. See FCC, *supra* note 1, art. 212-1(8).

⁵⁵ See [Universal Declaration of Human Rights](#), G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III) (Dec. 10, 1948). The slave trade, although not enumerated in the FCC or the RS, is an international crime distinct from enslavement. The 1956 Supplementary Slavery Convention, slightly amended from 1926 Slavery Convention definition, defines the slave trade as:

all acts involved in the capture, acquisition or disposal of a person with intent to reduce [the person] to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging [the person]; all acts of disposal by sale or exchange of a person acquired with a view to being sold or

J. Other Inhumane Acts

Other inhumane acts constitute the residual, non-exhaustive category of crimes against humanity not enumerated in the FCC. This category covers inhumane acts “of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.”⁵⁶ Examples include, *inter alia*, forced marriage,⁵⁷ forced public nudity,⁵⁸ sexual and physical mutilation of corpses,⁵⁹ serious physical and mental injuries,⁶⁰ “mutilation and other types of severe bodily harm, beatings and other acts of violence,”⁶¹ humiliation, harassment, psychological abuse, and confinement in inhumane conditions.⁶²

III. **Public media reports, UN-verified documentation and UN statements between 3 August 2014 and 19 September 2014 demonstrating public knowledge of IS-perpetrated acts against the Yezidi civilians that could constitute crimes against humanity, including genocide**

The Yezidis, an ethno-religious minority group from Iraq and Syria,⁶³ have lived in Sinjar for centuries.⁶⁴ On 3 August 2014, IS attacked the Yezidi people in Sinjar, forcing many to flee up to Mount Sinjar⁶⁵ and later to the neighboring province of Dohuk.⁶⁶ That very day, the UN reported

exchanged; and, in general, every act of trade or transport in slaves by whatever means of conveyance.

[Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery](#) art. 7(c), Apr. 30, 1956, 266 U.N.T.S. 3 [hereafter 1956 Supplementary Slavery Convention] (ratified by France 26 May 1964). In the case *Siliadin v. France*, the European Court of Human Rights drew upon the 1956 Supplementary Slavery Convention definitions to determine state responsibility under the European Convention on Human Rights and mandated that France incorporate the Convention’s protections into its national penal laws. See *Siliadin v. France*, ECtHR App. No. 73316/01, Judgment (26 July 2005); see also [Convention to Suppress the Slave Trade and Slavery](#) art. 1(2), Sept. 25, 1926, 60 L.N.T.S. 254 [hereafter the 1926 Slavery Convention]. (Article 1(2) defines the slave trade as:

all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a slave acquired with a view to being sold or exchanged, and, in general, every act of trade or transport in slaves.)

⁵⁶ [Rome Statute](#), *supra* note 9, art. 7(1)(k); [FCC](#), *supra* note 1, art. 212-1(11).

⁵⁷ [Prosecutor v. Sesay](#), SCSL-04-15-A, Judgment, ¶¶ 736–40 (Oct. 26, 2009).

⁵⁸ [Prosecutor v. Akayesu](#), *supra* note 30, ¶ 697.

⁵⁹ [Prosecutor v. Niyitegeka](#), Case No. ICTR-96-14-T, Judgment and Sentence, ¶¶ 313, 465–67 (May 16, 2003); [Prosecutor v. Kajelijeli](#), Case No. ICTR-98-44A-T, Judgment, ¶ 934, 936 (Dec. 1, 2003).

⁶⁰ [Prosecutor v. Vasiljević](#), *supra* note 12, ¶ 239.

⁶¹ [Prosecutor v. Kvočka](#), Case No. IT-98-30/1-A, Judgment, ¶ 435 (Int’l Crim. Trib. for the Former Yugoslavia Feb. 28, 2005).

⁶² [Prosecutor v. Kvočka](#), Case No. IT-98-30/1-T, Judgment, ¶¶ 206–09 (Int’l Crim. Trib. for the Former Yugoslavia Nov. 2, 2001).

⁶³ See discussion of the Yezidi population *supra* note 3.

⁶⁴ Press Release, [Security Council, Security Council Press Statement on Iraq](#), U.N. Press Release SC/11509 (Aug. 5, 2014).

⁶⁵ Reuters and Haaretz, [Watch: Iraqi MP Pleads Before Parliament to Stop the Slaughter of Her People](#), HAARETZ (Aug. 7, 2014).

⁶⁶ Raya Jalabi, [Who Are the Yazidis and Why Is ISIS Hunting Them?](#), GUARDIAN (Aug. 11, 2014, 8:46 AM).

that IS and its associated groups forced around 200,000 civilians, “most of them from the Yezidi community,” to flee to Mount Sinjar while IS seized Sinjar and Tal Afar districts.⁶⁷ Several reports indicated that, as IS fighters captured villages in the districts, the fighters murdered and exterminated those who could not escape.⁶⁸

After seizing Yezidi villages in Sinjar and Tal Afar, IS forced Yezidis to flee to Mount Sinjar in scorching August heat, which immediately resulted in the Yezidis’ “urgent need of basic items including food, water[,] medicine”⁶⁹ and shelter. The UN expressed grave concern for these civilians’ physical safety, warning that their humanitarian situation was dire.⁷⁰ On 5 August 2014, UNICEF reported that approximately forty Yezidi children “died as a direct consequence of violence, displacement and dehydration over the [prior] two days,” and that families who fled to the mountains surrounding Sinjar, including up to 25,000 stranded children, needed urgent humanitarian aid.⁷¹ The UN Security Council additionally condemned IS executions of Iraq’s vulnerable minority community members, especially the Yezidi community.⁷² Reports in those first days called the situation “a total disaster.”⁷³

On 5 August 2014, the UN Security Council condemned IS “systematic persecution of individuals from minority populations,”⁷⁴ recalling that “widespread or systematic attacks directed against any civilian populations because of their ethnic background, religion or belief may constitute a crime against humanity, for which those responsible must be accountable.”⁷⁵ IS specifically targeted minority groups that they considered infidels for forced conversions, abductions, extrajudicial killings, enslavement and slave trading in Iraq and Syria.⁷⁶

In July 2014, Human Rights Watch’s Middle East director stated that “[b]eing a Turkman, a Shabak, a Yazidi, or a Christian in [Islamic State] territory can cost you your livelihood, your liberty, or even your life.”⁷⁷ Widely circulated videos and articles emphasized that the Yezidi people were targeted because of their religion, culture, and ethnicity. For instance, one survivor highlighted the disparate violence against the Yezidi community versus the Christian community:

⁶⁷ [UN Warns of ‘Humanitarian Tragedy’ as Militants Seize Town in Northern Iraq](#), UN NEWS (Aug. 3, 2014).

⁶⁸ Mohammed A. Salih, [‘I am a 14-year-old Yazidi Girl Given as a Gift, to an Isis Commander. Here’s How I Escaped’](#), INDEPENDENT (Sept. 12, 2014, 6:51 AM); AMNESTY INT’L, *supra* note 22; [ISIS Insurgents Seize More Towns in Northern Iraq](#), FR. 24 (Aug. 4, 2014); [Kurds Unite in Bid to Rescue Iraq’s Yazidi Minority](#).

⁶⁹ [UN Warns of ‘Humanitarian Tragedy’ as Militants Seize Town in Northern Iraq](#), *supra* note 67.

⁷⁰ [UN Warns of ‘Humanitarian Tragedy’ as Militants Seize Town in Northern Iraq](#), *supra* note 67.

⁷¹ Press Release, Marzio Babilie, UNICEF Representative, [Statement on Child Deaths in Iraq](#) (Aug. 5, 2014); *see also* [Iraq: UN Expresses ‘Extreme Concern’ as Sinjar Violence Reportedly Claims Lives of 40 Children](#), UN NEWS (Aug. 5, 2014).

⁷² [Security Council Press Statement on Iraq](#), *supra* note 64.

⁷³ Loveday Morris, [Iraqi Yazidis Stranded on Isolated Mountaintop Begin to Die of Thirst](#), WASH. POST (Aug. 5, 2014).

⁷⁴ [Iraq: UN Expresses ‘Extreme Concern’ as Sinjar Violence Reportedly Claims Lives of 40 Children](#), *supra* note 71; [UNSC Strongly Condemns ISIL’s Attacks on Iraqi Minorities](#), KUWAIT NEWS AGENCY (Aug. 6, 2014).

⁷⁵ [Security Council Press Statement on Iraq](#), *supra* note 64.

⁷⁶ Agence France-Presse, [Irak: Bagdad Promet un Soutien Aux Kurdes Contre L’Etat Islamique](#), LE MONDE (Aug. 4, 2014).

⁷⁷ Terrence McCoy, [The Islamic State’s Bloody Campaign to Exterminate Minorities: ‘Even Genghis Khan Didn’t Do This’](#), WASH. POST (Aug. 7, 2014) (citing [Iraq: ISIS Abducting, Killing, Expelling Minorities: Armed Group Targeting Christian Nuns, Turkmen, Shabaks, Yazidis](#), HUM. RTS. WATCH (July 19, 2014).

“they didn’t kill any Christians, but they killed Yazidi[s] and nobody helped us.”⁷⁸ On 7 August 2014, it was reported that Vian Dakhil, the only representative of the Yazidi population in Iraq’s Parliament, begged parliamentarians to help the Yazidi people. She sobbed, “[w]e are being exterminated! An entire religion is being exterminated from the face of the Earth. In the name of humanity, save us!”⁷⁹

As some Yazidis escaped from Mount Sinjar to safety, they relayed news of the massacres to their communities. Iraq’s Human Rights Minister Mohammed Shia al-Sudani stated that there was “striking evidence obtained from Yazidis fleeing Sinjar and some who escaped death, and also crime scene images that show indisputably that the gangs of the Islamic States have executed at least 500 Yazidis after seizing Sinjar.”⁸⁰ Forty thousand Yazidis were trapped on Mount Sinjar and threatened with death.⁸¹ IS released a video informing the Yazidi people⁸² that “[a]fter this you will become Muslims and you will have rights.”⁸³ IS forced them to “convert or die,”⁸⁴ and then executed at least eighty Yazidi men in Kocho for refusing to convert to Islam.⁸⁵ IS “declared war against anyone different, anyone unwilling to convert to its ascetic brand of Islam.”⁸⁶ These executions were widely reported at the time, and soon were confirmed by Amnesty International in its report of 2 September 2014.⁸⁷

Abundant reporting and international responses highlighted the violence against Yazidis perpetrated by IS.⁸⁸ On 3 August 2014, UN Secretary-General Ban Ki-moon condemned IS’s

⁷⁸ Seth Robson, *Yazidis Tell Harrowing Tales of Torture, Mass Killings and Abduction as They Flee Islamic State*, STARS AND STRIPES (Sept. 1, 2014).

⁷⁹ *The Islamic State’s Bloody Campaign to Exterminate Minorities: ‘Even Genghis Khan Didn’t Do This’*, *supra* note 77.

⁸⁰ *ISIS Militants Killed Hundreds of Yazidis, Iraqi Minister Says*, FR. 24 (Aug. 11, 2014); Noémi Marois, *Irak: Qui Sont les Yazidis?*, EUROPE1 (Aug. 12, 2014); Edouard de Mareschal, *Qui Sont les Yazidis, Minorité Religieuse Oubliée en Irak*, LE FIGARO (Aug. 13, 2014). By mid-August 2014, widely disseminated statements and reports referenced the IS execution of 500 Yazidi members in Sinjar and surrounding areas in northern Iraq. Press Release, *Statement by Adama Dieng, Special Advisor of the Secretary-General on the Prevention of Genocide, and Jennifer Welsh, Special Advisor of the Secretary-General on the Responsibility to Protect, on the Situation in Iraq* (Aug. 12, 2014); *Amid Spread of ‘Hatred and Brutality,’ Ban Urges Countries to do More to Help Iraqi Civilians*, UN NEWS (Aug. 12, 2014); Agence France-Presse, *Appeals Mount to Save Iraq’s Yazidis from Extinction*, NAHARNET (Aug. 5, 2014).

⁸¹ *Iraq: “Immediate Action Needed to Protect Human Rights of Yazidis in Grave Danger” - U.N. Experts*, *supra* note 15; *Northern Iraq: UN Rights Experts Urge Action to Avoid Mass Atrocity, Potential Genocide*, UN NEWS (Aug. 12, 2014).

⁸² Simon Tomlinson & David Williams, *Right Now You Are Infidels. After This, You Will Become Muslims and You Will Have Rights’: The Moment Hundreds of Yazidis Converted En Masse to Islam to Avoid ISIS Execution*, DAILY MAIL (Aug. 21, 2014).

⁸³ Reuters, *Islamic State Video Shows Conversion of Yazidis to Islam*, NEW DELHI TELEVISION (Aug. 21, 2014, 9:26 AM IST); AMNESTY INT’L, *supra* note 22, at 22.

⁸⁴ *Iraq: “Immediate Action Needed to Protect Human Rights of Yazidis in Grave Danger” - U.N. Experts*, *supra* note 15.

⁸⁵ Liz Sly, *Islamic State Fighters Kill Dozens of Yazidi Villagers*, WASH. POST (Aug. 16, 2014); *Iraq Crisis: Yazidi Villagers ‘Massacred’ by IS*, BBC NEWS (Aug. 16, 2014); Donatella Rovera, *Testimonies from Kocho: The Village ISIS Tried to Wipe Off the Map*, AMNESTY INT’L (Aug. 18, 2014); *see also* AMNESTY INT’L, *supra* note 22, at 8–12.

⁸⁶ *The Islamic State’s Bloody Campaign to Exterminate Minorities: ‘Even Genghis Khan Didn’t Do This’*, *supra* note 77.

⁸⁷ *See* AMNESTY INT’L, *supra* note 22.

⁸⁸ Agence France-Presse, *UN Monitors Demand Urgent Action to Stop Yazidi ‘Genocide’*, NEW DELHI TELEVISION (Aug. 12, 2014).

perpetration of “mass civilian displacement”.⁸⁹ Iraq’s President Fuad Ma’soum directed all Iraqis to “assist the displaced.”⁹⁰ On 5 August 2014, the UN Security Council released a press statement about the “hundreds of thousands of Iraqis . . . displaced by ISIL’s attacks.”⁹¹

On 7 August 2014, US President Barack Obama launched airstrikes against IS and commenced humanitarian airdrops of food and water to the Yezidi people.⁹² Days later, France and Britain announced imminent aid consignments,⁹³ providing aid and resources to displaced persons in response to the urgent humanitarian crisis plaguing the Yezidi community.⁹⁴ Iraq’s Ministry for Women’s Affairs called for Iraqi and foreign intervention to rescue those displaced, and Iraqi helicopters dropped supplies to the mountains.⁹⁵ On 15 August 2014, UN Security Council Resolution 2170 condemned the “displacement of millions of people.”⁹⁶

President Obama reflected that IS was “especially barbaric towards” Yezidis, referencing reports of IS members’ mass executions of families.⁹⁷ The President stated that IS’ call “for the systematic destruction of the entire Yezidi people” left families with the choice to descend the mountain and be slaughtered or stay on the mountain and slowly die of thirst and hunger.⁹⁸ The widely reported accounts of Yezidi survivors further evinces chronic, severe psychological suffering, such as a family “so traumatized that when Iraqi helicopters dropped food and water, they were afraid to eat and drink the humanitarian aid for fear it ha[d] been poisoned.”⁹⁹

IS systematically hunted Yezidi individuals “who remain[ed] trapped in areas under their control and [gave] them the ultimatum, ‘convert or die.’”¹⁰⁰ On 29 August 2014, IS released a video of forced conversions of Yezidi people.¹⁰¹ While an IS fighter claimed that conversions were voluntary, IS propaganda gave “no indication of the bloodshed that prompted tens of thousands of people to flee,” and the video’s audio dispels the claim that the conversions could be under anything but emotional duress and physical capture: “Right now you are infidels. After this you will become Muslims and you will have rights . . . Repeat after me.”¹⁰² Amnesty International reported that “[t]here is little doubt that those shown in the video converted to save their lives and

⁸⁹ [UN Warns of ‘Humanitarian Tragedy’ as Militants Seize Town in Northern Iraq](#), *supra* note 67.

⁹⁰ [UN Warns of ‘Humanitarian Tragedy’ as Militants Seize Town in Northern Iraq](#), *supra* note 67.

⁹¹ [Security Council, Security Council Press Statement on Iraq](#), *supra* note 64.

⁹² President Barack Obama, [Statement on Airstrikes Against ISIL in Iraq](#) (Aug. 7, 2014); Agence France-Presse, [Barack Obama Vows to Save Iraqis Stranded on Mountain](#), NEW DELHI TELEVISION (Aug. 9, 2014).

⁹³ [Barack Obama Vows to Save Iraqis Stranded on Mountain](#), *supra* note 92.

⁹⁴ See [Security Council Adopts Resolution 2170 \(2014\) Condemning Gross, Widespread Abuse of Human Rights by Extremist Groups in Iraq, Syria](#), *supra* note 18.

⁹⁵ Agence France-Presse, [UN Condemns Jihadists Over Attacks on Iraq’s Yazidi Minority](#), HURRIYET DAILY NEWS (Aug. 6, 2014).

⁹⁶ [S.C. Res. 2170](#) (Aug. 15, 2014).

⁹⁷ [Statement on Airstrikes Against ISIL in Iraq](#), *supra* note 92.

⁹⁸ [Statement on Airstrikes Against ISIL in Iraq](#), *supra* note 92.

⁹⁹ [Yazidis Tell Harrowing Tales of Torture, Mass Killings and Abduction as They Flee Islamic State](#), *supra* note 78.

¹⁰⁰ [Iraq: “Immediate Action Needed to Protect Human Rights of Yazidis in Grave Danger” - U.N. Experts](#), *supra* note 15; [UN Monitors Demand Urgent Action to Stop Yazidi ‘Genocide’](#), *supra* note 88.

¹⁰¹ [‘Right Now You Are Infidels. After This, You Will Become Muslims and You Will Have Rights’: The Moment Hundreds of Yazidis Converted En Masse to Islam to Avoid ISIS Execution](#), *supra* note 82.

¹⁰² [Islamic State Video Shows Conversion of Yazidis to Islam](#), *supra* note 83; [AMNESTY INT’L](#), *supra* note 22, at 5, 22.

in the hope of being freed. However, those who converted have so far not been allowed to leave.”¹⁰³

On 8 August 2014, IS took hundreds of Yazidi females captive and held them in schools in Mosul.¹⁰⁴ On 17 August 2014, IS moved hundreds of captured women and children from a school in Tal ‘Afar to houses in abandoned areas around Tal ‘Afar, Mosul, and Bi’aj.¹⁰⁵ One woman and her children were held with around 500 other families in a Mosul prison, a Tal ‘Afar school, and subsequently in an abandoned village under IS control.¹⁰⁶

There were confirmed reports that IS kidnapped and imprisoned Yazidi women.¹⁰⁷ Myriad first-hand accounts of Yazidi girl-victims describe the “horror of being kept as a sex slave,” of being “held captive” in a “building with barred windows and guarded by men with weapons.”¹⁰⁸ IS abductions and severe deprivations of physical liberty “in some cases devastated entire Yazidi families.”¹⁰⁹ For instance, Mohsen Elias, a survivor of the Qiniyeh massacre, told Amnesty International that “18 women and children from his immediate family and more than 25 others from the extended family were abducted on 3 August and [were] still missing” at the time of the report.¹¹⁰

UN experts referenced reports of IS kidnappings, sexual assaults, and enslavement of women.¹¹¹ On 7 August 2014, Vian Dakhil told Iraq’s parliament that women were being slave traded and enslaved:¹¹² “Mr Speaker, our women are being taken as slaves and being sold in the slave market.”¹¹³ On 8 August 2014, spokesperson for Iraq’s human rights ministry, Kamil Amin, confirmed that IS captured Yazidi women under thirty-five years old and held them in schools, likely to use them as slaves.¹¹⁴ The same day, the UN Office of the High Commissioner for Human Rights “voiced concern at ‘very disturbing reports’ about the treatment of women,” particularly the reports of “women being sold as sex slaves, and being punished for not adhering to

¹⁰³ [AMNESTY INT’L](#), *supra* note 22, at 5.

¹⁰⁴ Kashmira Gander, [Iraq Crisis: Hundreds of Yazidi Women Taken Captive by Islamic State Militants](#), INDEPENDENT (Aug. 8, 2014, 9:31 PM).

¹⁰⁵ [AMNESTY INT’L](#), *supra* note 22, at 19.

¹⁰⁶ [AMNESTY INT’L](#), *supra* note 22, at 20. These numbers reflected the reporting at the time. Later, these numbers were estimated to be much higher at 6800. See Valeria Cetorelli, Isaac Sasson, Nazar Shabila & Gilbert Burnham, [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 9, 2017).

¹⁰⁷ Alyssa Newcomb & Dan Good, [US Carries Out More Airstrikes Against ISIS in Iraq](#), ABC NEWS (Aug. 8, 2014, 4:30 PM); [Kashmira Gander](#), *supra* note 104.

¹⁰⁸ Nick Squires, [Yazidi Girl Tells of Horrific Ordeal as an ISIS Sex Slave](#), BUS. INSIDER (Sept. 11, 2014, 2:18 PM); see also Rose Troup Buchanan, [Life Under Isis: Captured Teenage Girl Tells Story of Horrendous Abuse at Hands of Islamic State Militants](#), INDEPENDENT (Sept. 10, 2014, 10:30 AM); [‘I am a 14-year-old Yazidi Girl Given as a Gift, to an Isis Commander. Here’s How I Escaped’](#), *supra* note 68.

¹⁰⁹ [AMNESTY INT’L](#), *supra* note 22, at 18.

¹¹⁰ [AMNESTY INT’L](#), *supra* note 22, at 18.

¹¹¹ [Iraq: “Immediate Action Needed to Protect Human Rights of Yazidis in Grave Danger” - U.N. Experts](#), *supra* note 15.

¹¹² [The Islamic State’s Bloody Campaign to Exterminate Minorities: ‘Even Genghis Khan Didn’t Do This’](#), *supra* note 77.

¹¹³ Mariz Tadros, [Who will Condemn the Sexual Enslavement of Iraq’s Minority Women?](#), GUARDIAN (Aug. 15, 2014, 5:30 AM EDT); [Iraq Crisis: Hundreds of Yazidi Women Taken Captive by Islamic State Militants](#), *supra* note 104.

¹¹⁴ [Iraq Crisis: Hundreds of Yazidi Women Taken Captive by Islamic State Militants](#), *supra* note 104.

misinterpretations of Islamic laws.”¹¹⁵ Iraq’s human rights minister, Mohammed Shia al-Sudani, soon confirmed that at least three hundred women were already kidnapped as slaves,¹¹⁶ as “war booty,”¹¹⁷ as reported worldwide, including in French, Iraqi, and international news.¹¹⁸

On 12 August 2014, UN experts emphasized reports revealing that IS kidnapped hundreds of women and children, sexually assaulted teenagers, and assigned or sold women to IS fighters as *malak yamiin*, or slaves.¹¹⁹ Additionally, UN Secretary-General Ban Ki-moon noted that IS forcibly took Yezidi boys from their homes.¹²⁰ On 25 August 2014, the UN High Commissioner for Human Rights Navi Pillay stated that IS members took Yezidi “women and their children . . . as slaves and either handed [them] over to ISIL fighters as slaves or threatened [them] with being sold.”¹²¹ Pillay also expressed that IS “is forcibly recruiting boys aged 15 and above” and “deliberately positioning the boys at the front-line in battle situations, as human shields.”¹²²

On 1 September 2014, UN Deputy High Commissioner for Human Rights Flavia Pansieri told the Human Rights Council’s Special Session on Iraq that IS has targeted Yezidi people “for extremely harsh treatment, including enslavement and physical and sexual assault.”¹²³ Some Yezidis were strictly supervised and coerced to convert to Islam, while men who refused conversion were executed and women and young girls were “allotted as slaves.”¹²⁴ At least 2,750 Yezidi individuals were kidnapped and/or enslaved in August of 2014, according to reports at that time.¹²⁵ The total number of abducted Yezidis was later determined to be much higher, approximately 6,800 individuals, mainly women and children.¹²⁶ The Sinjar Crisis Group “compiled a list of 1,074 names of female captives reported by their relatives to be in” IS custody.¹²⁷ On August 30, 2014, the Syrian Observatory for Human Rights “confirmed that at least 27 Yazidi women had been sold for around \$1,000 each to IS fighters.”¹²⁸

¹¹⁵ [Northern Iraq: UN Voices Concern About Civilians’ Safety, Need for Humanitarian Aid](#), UN NEWS (Aug. 8, 2014).

¹¹⁶ Ahmed Rasheed, [Exclusive: Iraq Says Islamic State Killed 500 Yazidis, Buried Some Victims Alive](#), REUTERS (Aug. 10, 2014, 8:02 AM).

¹¹⁷ [Appeals Mount to Save Iraq’s Yazidis from Extinction](#), *supra* note 80.

¹¹⁸ [Irak: Qui Sont les Yazidis?](#), *supra* note 80.

¹¹⁹ [Iraq: “Immediate Action Needed to Protect Human Rights of Yazidis in Grave Danger” - U.N. Experts](#), *supra* note 15.

¹²⁰ [Amid Spread of ‘Hatred and Brutality,’ Ban Urges Countries to do More to Help Iraqi Civilians](#), *supra* note 80.

¹²¹ [Iraqi Civilians Suffering “Horrific” Widespread and Systematic Persecution](#), *supra* note 19.

¹²² [Iraqi Civilians Suffering “Horrific” Widespread and Systematic Persecution](#), *supra* note 19.

¹²³ [Address by Ms. Flavia Pansieri, United Nations Deputy High Commissioner for Human Rights to the Human Rights Council’s Special Session on Iraq](#) (Sept. 1, 2014).

¹²⁴ [Address by Ms. Flavia Pansieri, United Nations Deputy High Commissioner for Human Rights to the Human Rights Council’s Special Session on Iraq](#), *supra* note 123.

¹²⁵ [Address by Ms. Flavia Pansieri, United Nations Deputy High Commissioner for Human Rights to the Human Rights Council’s Special Session on Iraq](#), *supra* note 123.

¹²⁶ [Mortality and Kidnapping Estimates for the Yazidi Population in the Area of Mount Sinjar, Iraq, in August 2014: A Retrospective Household Survey](#), *supra* note 106.

¹²⁷ Liz Sly, [In Iraq, Captured Yazidi Women Fear the Islamic State Will Force Them to Wed](#), WASH. POST (Aug. 16, 2014).

¹²⁸ Agence France-Presse, [Dozens of Yazidi Women ‘Sold Into Marriage’ by Jihadists: NGO](#), YAHOO!NEWS (Aug. 30, 2014) (“The group said it was aware that some 300 Yazidi women had been kidnapped and transported to Syria by the jihadists, but it had so far documented the sale into marriage of 27.”); Agence France-Presse, [Kidnapped Yazidi Women ‘Sold to Islamists’ in Syria](#), FR. 24 (Aug. 31, 2014, 2:38 PM).

IS subjected many abducted Yezidi women and girls, “notably girls in their teens and early 20s,” to sexualized slavery and slave trade.¹²⁹ IS abducted Yezidi girls and women and gifted or sold them to IS members to be used for their sexual gratification as owned property.¹³⁰ The UN also noted reports of “young girls from minority groups being abducted for the purposes of sexual violence,”¹³¹ including rape and enslavement.

IS perpetrated rapes and other sexual violence, causing extreme physical and mental suffering against Yezidis of all ages and genders. A 17-year-old Yezidi girl held by IS described how IS kept captive women and girls under armed guard in a building with three “rooms of horror” and how multiple IS men raped them repeatedly throughout the day.¹³² IS instructed captured children to detail their experiences to their parents.¹³³ One survivor explained, “I don’t even know how to describe my torture” and “if [the physical abuse ended], my life would remain forever scarred by the torture I have suffered the past few weeks Even if I survive, I don’t think I’ll be able to remove this horror from my mind.”¹³⁴ She added, “[t]hey treat us like slaves. We are always ‘given’ to different men.”¹³⁵ Women that IS held captive told the UN Office of the High Commissioner for Human Rights that IS gunmen raped and sexually assaulted their sons and daughters.¹³⁶ IS beat abductees and fed them only one meal per day.¹³⁷

IS forced captured Yezidi individuals to relay their horrific experiences to their parents, so journalists interviewed some of these women and girls by calling the mobile phones on which their parents relied for such contact.¹³⁸ Local and international reporters went to great lengths to utilize such phones and publicize the physical abuses of Yezidi children and parents at the hands of IS.

¹²⁹ [AMNESTY INT’L](#), *supra* note 22, at 20; [Yazidi Girl Tells of Horrific Ordeal as an ISIS Sex Slave](#), *supra* note 108 (reporting on the experience and testimony of a 17-year-old girl who “was one of a group of about 40 Yazidi women who were still being held captive and sexually abused on a daily basis by Isil fighters”).

¹³⁰ See [‘I am a 14-year-old Yazidi Girl Given as a Gift, to an Isis Commander. Here’s How I Escaped’](#), *supra* note 68 (14-year-old girl was “given as a gift” to an IS member to be his “wife” or “concubine”); [In Iraq, Captured Yazidi Women Fear the Islamic State Will Force Them to Wed](#), *supra* note 127; [Dozens of Yazidi Women ‘Sold Into Marriage’ by Jihadists: NGO](#), *supra* note 128; [Kidnapped Yazidi Women ‘Sold to Islamists’ in Syria](#), *supra* note 128; Barbara Starr, Joshua Berlinger & Raja Razek, [U.S. Military Carries Out Airstrikes, Aid Drops to Iraqi Town Surrounded by ISIS](#), CNN WORLD (Aug. 30, 2014) (“In the past few weeks, ISIS has ‘distributed’ to its rank and file about 300 female members of the persecuted religious minority.”).

¹³¹ [Grave Crimes Committed on ‘Unimaginable Scale’ in Iraq, UN Human Rights Council Told](#), UN NEWS (Sept. 1, 2014).

¹³² [Life Under Isis: Captured Teenage Girl Tells Story of Horrendous Abuse at Hands of Islamic State Militants](#), *supra* note 108.

¹³³ [Life Under Isis: Captured Teenage Girl Tells Story of Horrendous Abuse at Hands of Islamic State Militants](#), *supra* note 108.

¹³⁴ [Life Under Isis: Captured Teenage Girl Tells Story of Horrendous Abuse at Hands of Islamic State Militants](#), *supra* note 108.

¹³⁵ [Life Under Isis: Captured Teenage Girl Tells Story of Horrendous Abuse at Hands of Islamic State Militants](#), *supra* note 108; see also [Yazidi Girl Tells of Horrific Ordeal as an ISIS Sex Slave](#), *supra* note 108; [‘I am a 14-year-old Yazidi Girl Given as a Gift, to an Isis Commander. Here’s How I Escaped’](#), *supra* note 68.

¹³⁶ [Iraqi Civilians Suffering ‘Horrific’ Persecution, Ethnic Cleansing – UN Rights Chief](#), UN NEWS (Aug. 25, 2014).

¹³⁷ [‘I am a 14-year-old Yazidi Girl Given as a Gift, to an Isis Commander. Here’s How I Escaped’](#), *supra* note 68. The 2 September 2014 Amnesty International Report confirmed IS patterns of rape and sexual abuse of detained Yezidi women and children. [AMNESTY INT’L](#), *supra* note 22, at 4, 20.

¹³⁸ [Yazidi Girl Tells of Horrific Ordeal as an ISIS Sex Slave](#), *supra* note 108.

Social media posts from female IS members corroborate such eyewitness accounts, mentioning enslaved and slave traded Yezidi individuals.¹³⁹

International responses to IS conduct were widely reported and categorized the widespread attacks on the Yezidi people as genocide. President Barack Obama’s official statement on 7 August 2014 named IS’ “systematic destruction of the entire Yezidi people” as potentially constituting “genocide” and announced that the United States must act “to prevent a potential act of genocide.”¹⁴⁰ Further, on 12 August 2014, UN human rights experts released a news report stating that “[a]ll possible measures must be taken urgently to avoid a mass atrocity and potential genocide within days or hours—civilians need to be protected on the ground and escorted out of situations of extreme peril.”¹⁴¹ In addition, on 12 August 2014, UN Special Advisers of the Secretary-General on the Prevention of Genocide and the Responsibility to Protect issued a joint statement specifying that the reported acts committed by IS “may . . . point to the risk of genocide.”¹⁴² Such crimes against the Yezidi population were heavily documented and reported worldwide simultaneous to their occurrence and were later characterized as genocide and crimes against humanity in parliaments around the world, including the European Union¹⁴³ and France,¹⁴⁴ and recently in German courts of law.¹⁴⁵

IV. Conclusion

Between 3 August 2014 and 19 September 2014, extensive media coverage detailed IS crimes targeting the Yezidi community. Unequivocally, public reports recounted that IS caused the deaths and severe physical and mental suffering of thousands of Yezidi civilians. IS directly killed Yezidi individuals upon capturing their villages. IS also indirectly caused deaths of Yezidi peoples whom they trapped on Mount Sinjar by inflicting conditions of life calculated to bring about their destruction through depriving them of access to food, water, and other necessities.¹⁴⁶ IS caused Yezidis to flee to Mount Sinjar without necessary supplies and trapped them on the

¹³⁹ See Ellie Hall, [Inside the Chilling Online World of the Women of ISIS](#), BUZZFEED (Sept. 12, 2014, 1:12 PM) (highlighting a tweet from an IS woman that read, “Walked into a room, gave *salam* to everyone in the room to find out there was a yazidi [*sic*] slave girl there as well.. she replied to my *salam* :/”).

¹⁴⁰ [Statement on Airstrikes Against ISIL in Iraq](#), *supra* note 92.

¹⁴¹ [Iraq: “Immediate Action Needed to Protect Human Rights of Yazidis in Grave Danger” - U.N. Experts](#), *supra* note 15; see also [UN Monitors Demand Urgent Action to Stop Yazidi ‘Genocide’](#), *supra* note 88.

¹⁴² [Statement by Adama Dieng, Special Advisor of the Secretary-General on the Prevention of Genocide, and Jennifer Welsh, Special Advisor of the Secretary-General on the Responsibility to Protect, on the Situation in Iraq](#), *supra* note 80.

¹⁴³ Parliamentary Assembly, Council of Europe, [Joint Motion for a Resolution on the Systematic Mass Murder of Religious Minorities by the so-called ‘ISIS/Daesh.’](#) 2016/2529(RSP), ¶ M(2) (Feb. 3, 2016).

¹⁴⁴ [Résolution Adoptée en Application de l’article 34-1 de la Constitution](#) [Resolution Adopted Pursuant to Article 34-1 of the Constitution], Dec. 6, 2016, JOURNAL OFFICIEL DE LA RÉPUBLIQUE FRANÇAISE [J.O.] [OFFICIAL GAZETTE OF FRANCE], Dec. 7, 2016, Texte 84.

¹⁴⁵ In November of 2021, a German court found a former IS member guilty of genocide against the Yezidis. “The defendant Taha Al J. was convicted of genocide for purchasing a Yazidi woman and her five-year-old daughter as slaves in 2015.” [Germany/Iraq: World’s First Judgment on Crime of Genocide Against the Yazidis](#), *supra* note 24. The court held that the defendant, as a member of IS, “intended to eliminate the religious minority of the Yazidis by purchasing the two Yazidi women and enslaving them. The defendant punished the Yazidi girl by cuffing her to a window in the scorching heat, unprotected from the sun and letting her die in front of her mother.” *Id.*; see also [German Court Convicts ISIS Member of Genocide Against Yazidis in Historical Trial](#), *supra* note 24.

¹⁴⁶ See Rome Statute, [Elements of Crimes](#), *supra* note 8, art. 7(1)(b).

mountain by threatening enslavement, forced conversion, and death upon their descent. These Yezidi groups lacked access to food, water, and medical care on Mount Sinjar, where the conditions were unbearably hot and barren. As the media coverage extensively demonstrates, IS murdered and exterminated members of the Yezidi population directly, and also caused their deaths by forcing them to flee to and remain confined on Mount Sinjar.

The widespread and systematic IS attacks against the Yezidi population, as publicly reported, seemingly constitutes the crimes against humanity of enslavement, murder and extermination, forcible displacement, imprisonment and other severe deprivations of physical liberty, torture, rape and other sexual violence, persecution, and other inhumane acts, as well as the customary international law crime of the slave trade. IS targeted the Yezidi population based on their religion and ethnicity, seemingly with the intent to destroy them in whole or in part. The timely, publicly available coverage by the press, governmental and UN statements, resolutions, and NGO reports of IS acts are supportive of the Free Yezidi Foundation's complaint regarding Lafarge business dealings with IS in Syria.

V. Authors

The Free Yezidi Foundation appreciates the efforts of Patricia Viseur Sellers and Jocelyn Getgen Kestenbaum for authoring this memorandum, and to Sydney Artson, Hayley Bronner and Brett Jones of the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic at the Benjamin N. Cardozo School of Law for their research and drafting assistance. This memorandum was edited by the Free Yezidi Foundation team and is being submitted as evidence in the suit against Lafarge for complicity in crimes against humanity.

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Please note: all articles and French Criminal Code ("FCC") provisions are hyperlinked.

AUG.
2 – 3

IS Attack on Kurdish-Held Positions in Northern Iraq; Attack on Three Towns including Sinjar; Attacks on and Forced Displacement of Yezidi Population

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(6)

- [Islamic State Seizes Town of Sinjar, Pushing Out Kurds and Sending Yazidis Fleeing](#), Wash. Post (Aug. 3, 2014).
- [Iraq: Bagdad Promet un Soutien aux Kurdes Contre l'Etat Islamique](#), Le Monde (Aug. 4, 2014).



[Daily Mail](#) (Aug. 10, 2014).

AUG. 3

IS Attacks Al-Qahtaniya and Qiniyeh Villages; IS Abducts and Forcibly Transfers Yezidi Individuals to Tal Afar, Si Basha Khidri, and Ba'aj

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4)

- [Statement on Child Deaths in Iraq; Attributable to Marzio Babilie](#), UNICEF Representative, UNICEF (Aug. 5, 2014).

AUG.
3 – 4

Reports of IS Attack on Sinjar, the Sinjar Massacre, and Attacks on Other Yezidi Villages

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(5), 212-1(6)

- [UN Warns of 'Humanitarian Tragedy' as Militants Seize Town in Northern Iraq](#), United Nations (Aug. 3, 2014).
- [ISIS Insurgents Seize More Towns in Northern Iraq](#), France 24 (Aug. 4, 2014).
- [Iraq: UN Expresses 'Extreme Concern' as Sinjar Violence Reportedly Claims Lives of 40 Children](#), UN News (Aug. 5, 2014).
- [Kurds Unite in Bid to Rescue Iraq's Yazidi Minority](#), France24 (Aug. 6, 2014).
- [Who Are the Yazidi, and Why Is ISIS Targeting Them?](#), NBC News (Aug. 8, 2014).
- [Waving Their Weapons and Cheering, Fanatics Swooping Across Iraq Stood Over Bodies and Celebrated as They Buried 500 Yazidis Alive](#), Daily Mail (Aug. 10, 2014).
- [Syrian Kurds Battle to Rescue Iraq's Stranded Yazidis](#), France 24 (Aug. 12, 2014).

AUG. 5

UN Security Council Statement Condemns IS Sinjar and Tal Afar Attacks and Expresses Concern for the Yezidi Population

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(5)

- [Security Council Press Statement on Iraq](#), U.N. Press Release SC/11509 (Aug. 5, 2014).

AUG. 6

Iraqi Airstrike on Prison Run by IS; Car Bombs Hit Shia Districts; Attacks in Baghdad

- [Iraq Crisis: Mosul Air Strike 'Kills 60'](#), BBC News (Aug. 6, 2014).

Fighters from Iraq, Syria, and Turkey Launch Offensive Against IS in Mosul

- [Les Kurdes Irakiens, Syriens et Turcs Mènent une Offensive Contre les Djihadistes de l'EI](#), Le Monde (Aug. 6, 2014).



[Washington Post](#) (Aug. 7, 2014).

AUG. 7

Statements by Iraqi Politicians, Such as Vian Dakhil, Detail IS Crimes Against the Yezidi Population

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(6), 212-1(7), 212-1(8)

- [Iraqi Yazidi Lawmaker: 'Hundreds of my People Are Being Slaughtered'](#), CNN (Aug. 6, 2014).
- [Iraqi MP Pleads Before Parliament to Stop the Slaughter of Her People](#), Haaretz (Aug. 7, 2014).
- [The Islamic State's Bloody Campaign to Exterminate Minorities: 'Even Genghis Khan Didn't Do This'](#), Wash. Post (Aug. 7, 2014).
- [Iraqi Who Made Emotional Plea to Help Yazidis Is Injured in Crash of Relief Flight](#), N.Y. Times (Aug. 12, 2014).

REPORTS OF IS CRIMES AGAINST YEZIDIS

AUG. 7
CONT.

UN Secretary-General Comments on IS Attacks Against Minority Groups, Including the Yezidi Population

FCC Arts. 211-1, 212-1(2), 212-1(5), 212-1(6), 212-1(8).

— *'Appalled' by Attacks Against Minority Groups in Iraq, Secretary-General Urges International Community to Positively Impact Country's Situation, United Nations (Aug. 7, 2014).*

UN Security Council Press Statement on IS Crimes, Calling Attention to IS Crimes Against Humanity Committed Against the Yezidi Population

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4)

— *Security Council Press Statement on Iraq, U.N. Press Release SC/11515 (Aug. 7, 2014).*

AUG.
7 – 10

U.S. President Obama Authorizes Targeted Airstrikes Against IS and Airdropping Meals and Water to Yezidi Persons Trapped on Mount Sinjar

FCC Arts. 211-1, 212-1(2)

— *Statement by the President, White House Office of the Press Secretary (Aug. 7, 2014).*
— *Obama Authorizes 'Targeted' Airstrikes Against ISIS in Iraq, NBC News (Aug. 7, 2014).*
— *US Carries Out More Airstrikes Against ISIS in Iraq, ABC News (Aug. 8, 2014).*
— *20,000 Iraqis Besieged by Isis Escape from Mountain After US Air Strikes, Guardian (Aug. 10, 2014).*



Telegraph (Aug. 21, 2014)

AUG. 8

Iraq Human Rights Ministry Spokesman, Kamil Amin, Confirms IS Mass Murders, Abductions, and Enslavement of Yezidi Individuals, Particularly Women

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(7), 212-1(8)

— *Iraq Official: Hundreds of Women Refugees Taken Captive by Militants, CBS News (Aug. 8, 2014).*
— *ISIS Militants Kill Hundreds of Yazidis, Iraqi Minister Says, France24 (Aug. 10, 2014).*

UN Human Rights Office Voices Concern for Yezidi Individuals in Need of Humanitarian Aid in Northern Iraq

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(7)

— *Northern Iraq: UN Voices Concern About Civilians' Safety, Need for Humanitarian Aid, UN News (Aug. 8, 2014).*

AUG. 10

Iraq Human Rights Minister, Mohammed Shia Al-Sudani, Confirms IS Enslavement of at Least 300 Yezidi Individuals

FCC Arts. 211-1, 212-1(3), 212-1(4), 212-1(7)

— *Exclusive: Iraq Says Islamic State Killed 500 Yazidis, Buried Some Victims Alive, Reuters (Aug. 10, 2014).*

AUG. 11

Reports of IS Enslavement and Slave Trading of Yezidi Women and Girls Captured from Sinjar

FCC Arts. 211-1, 212-1(3), 212-1(4), 212-1(7)

— *Yazidis Tormented by Fears for Women and Girls Kidnapped by Isis Jihadists, Guardian (Aug. 11, 2014).*

AUG. 12

Statement on IS Crimes by the Special Advisers of the Secretary-General on the Prevention of Genocide and the Responsibility to Protect ("R2P")

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(7)

— *U.N. Press Release, Statement by Adama Dieng, Special Advisor of the Secretary-General on the Prevention of Genocide, and Jennifer Welsh, Special Advisor of the Secretary-General on the Responsibility to Protect (Aug. 12, 2014).*

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AUG. 12
CONT.

UN Secretary-General Ban Ki-Moon Statement on IS "Barbaric Acts" Against Yezidi Population

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(7)

— [Amid Spread of 'Hatred and Brutality,' Ban Urges Countries to do More to Help Iraqi Civilians](#), UN News (Aug. 12, 2014).

UN Human Rights Experts Warn that the Yezidi Population is in "Grave Danger"

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(7)

— [Northern Iraq: UN Rights Experts Urge Action to Avoid Mass Atrocity, Potential Genocide](#), UN News (Aug. 12, 2014).



[Insider](#) (Sep. 11, 2014).

AUG. 13

UN Declares Level 3 Emergency—the Highest Level—in Iraq to Trigger Faster and Greater Humanitarian Aid

- [UN Declares a 'Level 3 Emergency' for Iraq to Ensure More Effective Humanitarian Response](#), UN Assistance Mission for Iraq/UN Country Team in Iraq (Aug. 13, 2014).
- [UN Press Release, UN Declares a 'Level 3 Emergency' for Iraq to Ensure More Effective Humanitarian Response](#) (Aug. 13, 2014).
- [UN Declares Iraq 'Level 3 Emergency' to Trigger More Resources, Speed Up Aid Delivery](#), UN News (Aug. 14, 2014).

AUG.
13 – 14

Joint Statement of the Special Representatives of the Secretary-General on Sexual Violence in Conflict and for Iraq, Condemning IS Targeting of Minority—Particularly Yezidi—Women and Children; Additional Reports of IS Sexual Violence Against Yezidi Women and Girls

FCC Arts. 211-1, 212-1(7)

- ['Barbaric' Sexual Violence Perpetrated by Islamic State Militants in Iraq - UN](#), UN News (Aug. 13, 2014).
- [The Yezidi Exodus, Girls Raped by ISIS Jump to Their Death on Mount Shingal](#), Rudaw (Aug. 14, 2014).

AUG. 15

UN Security Council Resolution 2170 Condemning IS Targeting of Minority Groups

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(5), 212-1(6), 212-1(7), 212-1(8)

- [Security Council Resolution 2170](#) (Aug. 15, 2014).
- [Security Council Adopts Resolution 2170 \(2014\) Condemning Gross, Widespread Abuse of Human Rights by Extremist Groups in Iraq, Syria, U.N. Press Release SC/11520](#) (Aug. 15, 2014).

Reports of IS Massacre of Yezidi Individuals in Kojo

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(6), 212-1(7), 212-1(8)

- [Report: U.S. Airstrikes Carried Out as Part of Iraqi Effort to Retake Mosul Dam](#), CNN (Aug. 16, 2014).
- [Iraq Crisis: Yazidi Villagers 'Massacred' by IS](#), BBC News (Aug. 16, 2014).
- [Islamic State Fighters Kill Dozens of Yazidi Villagers](#), Wash. Post (Aug. 16, 2014).
- [Testimonies from Kocho: The Village ISIS Tried to Wipe Off the Map](#), Amnesty International (Aug. 18, 2014).
- [Iraqi Civilians Suffering 'Horrific' Persecution, Ethnic Cleansing - UN Rights Chief](#), UN News (Aug. 25, 2014).

AUG. 20

IS Video of Forced Conversions of Yezidis Circulated

FCC Arts. 211-1, 212-1(5), 212-1(6)

- [Isil's Yazidi 'Mass Conversion' Video Fails to Hide Brutal Duress](#), Telegraph (Aug. 21, 2014).
- [Islamic State Video Shows Conversion of Yazidis to Islam](#), NDTV (Aug. 21, 2014).

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AUG. 29

Syrian Observatory for Human Rights Confirms IS Abductions, Enslavement, and Rapes of Yezidi Women

FCC Arts. 211-1, 212-(3), 212-1(4), 212-1(7)

- [Dozens of Yazidi Women 'Sold Into Marriage' by Jihadists: NGO, Yahoo! News \(Aug. 30, 2014\).](#)
- [U.S. Military Carries Out Airstrikes, Aid Drops to Iraqi Town Surrounded by ISIS, CNN \(Aug. 30, 2014\).](#)
- [Kidnapped Yazidi Women 'Sold to Islamists' in Syria, France 24 \(Aug. 31, 2014\).](#)

SEPT. 1

Address by UN Deputy High Commissioner for Human Rights, Flavia Pansieri, to the Human Rights Council's Special Session on Iraq, Discussing IS Targeting of Yezidis for Enslavement and Physical and Sexual Assault

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(7), 212-1(8)

- [Address by Ms. Flavia Pansieri, United Nations Deputy High Commissioner for Human Rights to the Human Rights Council's Special Session on Iraq, UN Office of the High Commissioner \(Sept. 1, 2014\).](#)
- [Grave Crimes Committed on 'Unimaginable Scale' in Iraq, UN Human Rights Council Told, UN News \(Sept. 1, 2014\).](#)

SEPT. 2

Amnesty International Report on IS Ethnic Cleansing of Yezidi Population and Other Minority Groups Released

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(5), 212-1(6), 212-1(7), 212-1(8)

- [Ethnic Cleansing on a Historic Scale: Islamic State's Systematic Targeting of Minorities in Northern Iraq, Amnesty International \(Aug. 2014\).](#)



[Daily Sabah \(Sep. 10, 2014\).](#)

SEPT. 10

Reported Discovery of Mass Graves of Yezidi People in Mosul

FCC Arts. 211-1, 212-1(2)

- [Mass Graves of Yazidis Found in Iraqi Province of Mosul, Daily Sabah \(Sept. 10, 2014\).](#)

SEPT. 11

Article Published Highlighting IS Social Media Posts About Enslaved Yezidi Persons

FCC Arts. 212-1(3)

- [Inside the Chilling Online World of the Women of ISIS, BuzzFeed \(Sept. 11, 2014\).](#)

SEPT. 12

Articles Published Detailing Candid Recounts of Yezidi Girls and Women Who Escaped IS Enslavement

FCC Arts. 211-1, 212-1(2), 212-1(3), 212-1(4), 212-1(5), 212-1(7), 212-1(8)

- [Yazidi Girl Tells of Horrific Ordeal as an ISIS Sex Slave, Insider \(Sept. 11, 2014\).](#)
- [Life Under Isis: Captured Teenage Girl Tells Story of Horrendous Abuse at Hands of Islamic State Militants, Independent \(Sept. 10, 2014\).](#)
- ['I am a 14-year-old Yazidi Girl Given as a Gift, to an Isis Commander. Here's How I Escaped', Independent \(Sept. 12, 2014\).](#)

SEPT. 19

Lafarge Closes Operations in Syria

- [As West Strikes IS, Nations Brace for Retribution, Times of Israel \(Sept. 25, 2014\).](#)
- ['ISIS is Coming!' How a French Company Pushed the Limits in War-Torn Syria, N.Y. Times \(Mar. 10, 2018\).](#)



[France24 \(Aug. 31, 2014\).](#)