



Resolution to Declare that Massacres and Persecution of Iraqi Kurds were Crimes of Genocide and Crimes Against Humanity

The International Association of Genocide Scholars,

Recognizing the prohibition of genocide in the Convention on the Prevention and Punishment of the Crime of Genocide (hereinafter Genocide Convention), customary international law, and the Rome Statute of the International Criminal Court;

Recognizing the prohibition of crimes against humanity in customary international law and the Rome Statute of the International Criminal Court;

Recognizing that hundreds of thousands of Kurds in Iraq, including the Feyli, Barzani, Christian, Yazidi, Kakai, Badinan, Shabak and Shi'a Kurdish groups, were subjected to crimes against humanity such as mass killings, torture, chemical warfare, forced displacements, mass rapes, arbitrary detention, forced labor, and the destruction of their villages;

Recognizing that stripping the citizenship, deportation to Iran of more than 300,000 to 500,000 Feyli Kurds, and mass killings of thousands of Kurds between 1970 to 2003 constituted genocide and the crime against humanity of forced displacement;

Recognizing the 1983 genocide against the Barzanis wherein Saddam Hussein regime forcefully resettled thousands of Barzanis, killed 8,000 Barzani Kurds, and put many of these Barzani Kurds in mass graves;

Recognizing the 1988 Anfal genocide from February to September 1988 wherein Saddam Hussein's regime killed 182,000 Kurds in eight comprehensive stages, destroyed 4,500 villages, and engaged in the worst chemical attack since World War II in Halabja;

Recognizing the genocide by ISIS (ISIL) (Da'esh) between 2014 and 2018 against the Yazidis, Shi'a, and Christians wherein ISIS subjected Yazidi women to rape and sexual slavery, killed 5,000 Yazidi men, forced the deportation of approximately 50,000 Yazidis, killed myriad Christians, raped numerous Christian women, forcedly deported between 100,000 to 200,000 Christians, executed 1,700 Shi'a army cadets, and forcedly displaced tens of thousands of Shi'as;

Recognizing the acts by ISIS (Da'esh) between 2014 and 2018 against the Kurds and religious groups in the Iraqi Kurdish region were crimes against humanity wherein ISIS engaged in mass killings, deportations, mass rapes, kidnappings, disappearances, among others;

Recognizing that on June 23, 2007, the Iraq Special Court held that the Barzani, Anfal, and Halabja massacres constituted genocides against the Kurds in Iraq;

Recognizing that on April 14, 2008, the Iraq Parliament deemed the Anfal campaign a genocide against the Kurdish people;

Recognizing that in 2008, the Iraq Presidential Council approved Parliamentary Resolution 26, which declared Saddam Hussein's campaign against the Kurds to be genocide;

Recognizing that in March 2010, the Iraq Supreme Court held the Anfal campaign was a genocide and also included crimes against humanity;

Recognizing that by 2010, the Iraq Supreme Court, the Iraq Council of Representatives and the Iraq Parliament acknowledged that the Barzani massacres were acts of genocide and crimes against humanity;

Recognizing that in March of 2011, the Iraq Parliament voted to acknowledge that the deadly chemical attack on Halabja constituted genocide;

Recognizing that in August of 2011, the Iraq Supreme Court, Iraq Council of Representatives, and the Iraq Parliament officially determined that the Fayli killings constituted genocide;

Recognizing that on November 21, 2012, the Norwegian Parliament formally acknowledged the Anfal campaign as genocide;

Recognizing that in December 5, 2012, the Swedish Parliament adopted a resolution to officially acknowledge the Anfal campaign as genocide;

Recognizing that on March 1, 2013, the British Parliament formally acknowledged the Anfal campaign of Saddam Hussein's Iraq government against the Kurdish population as the "Kurdish genocide;"

Recognizing that on June 13, 2013, the South Korean Parliament adopted a resolution that formally acknowledged the Anfal campaign to be genocide;

Recognizing that on March 14, 2016, the United States Congress determined that the mass murders, destruction of living conditions, causing of serious mental and bodily harm, mass rapes, abductions of women and children, and prevention of births against the Yazidis, Christians, and Shi'a Muslims and other groups by ISIS (Da'esh) were acts of genocide;

Recognizing that in 2016, the United States Department of State formally acknowledged the destruction of Yazidi, Christian, Shi'a and other religious minorities by ISIS (Da'esh) as acts of genocide;

Recognizing that on April 20, 2016, the United Kingdom House of Commons declared that the treatment of the Yazidis and Christians by the Islamic State (ISIS) amounted to genocide and referred the issue to the United Nations Security Council;

Recognizing that the Higher Regional Court in Frankfurt, Germany convicted Taha Al J., a member of the armed group Islamic State (ISIS), of genocide and crimes against humanity;

Recognizing that on October 25, 2016, the Canadian House of Commons formally acknowledged that ISIS (Da'esh) was committing genocide against the Yazidi people;

Recognizing that on December 6, 2016, the French Senate unanimously approved a resolution stating that acts committed by the Islamic State (ISIS) against "the Christian and

Yazidi populations, other minorities and civilians" constituted "war crimes," "crimes against humanity," and "genocide;"

Recognizing that on March 23, 2017, the Scottish Parliament adopted a statement that the brutal acts by ISIS (Da'esh) against the Yazidi people constituted genocide;

Recognizing that the Scottish Parliament also welcomed the actions of the European Parliament and the United Nations formally acknowledging the genocide against the Yazidi people;

Recognizing that in January 2018, the Armenian Parliament formally acknowledged and condemned the 2014 genocide of Yazidis by the Islamic State (ISIS), and called on the international community to conduct an international investigation;

Recognizing that on March 1, 2021, the Iraq Parliament passed the Yazidi [Female] Survivors Law which provides assistance to survivors and determined that the atrocities perpetrated by ISIS (Da'esh) against the Yazidis, Turkmen, Christians and Shabaks to be genocide and crimes against humanity;

Recognizing that on June 30, 2021 the Foreign Relations Commission of the Belgian Chamber of Representatives unanimously approved a resolution to formally acknowledge ISIS's August 2014 massacre of thousands of Yazidi men and enslavement of thousands of Yazidi women and children as genocide;

Recognizing that on July 6, 2021 the House of Representatives of the Netherlands unanimously passed a motion that formally acknowledged the crimes of the Islamic State (ISIS) against the Yazidi population as genocide and crimes against humanity;

Recognizing the research and findings by numerous human rights organizations, including Human Rights Watch, Amnesty International, and many genocide scholars that crimes against humanity and genocide have been committed against the Kurds in Iraq;

Recognizing that Iraq is a state party to the Genocide Convention and thereby has obligations to prevent and punish genocide;

Therefore, the International Association of Genocide Scholars:

1. *Declares* that the atrocities perpetrated by the Iraq government of Saddam Hussein and by ISIS (Da'esh) against the Kurds constituted genocide and crimes against humanity;
2. *Condemns* the genocides and crimes against humanity committed by the Iraq government of Saddam Hussein and by ISIS (Da'esh) against the Kurds and other groups in the Iraqi Kurdish region;
3. *Calls Upon* the government of Iraq to fully implement the Yazidi Survivors Law and carry out the process of reparations to the survivors and victims of the Yazidi genocide;
4. *Calls Upon* the United Nations, national governments, and international human rights organizations to recognize the atrocities perpetrated against the Kurds and other Iraqi minority groups by the Saddam Hussein regime and by ISIS (Da'esh) as genocide and crimes

against humanity, and to take appropriate measures to prevent future genocide and crimes against humanity in Iraq;

6. *Recommends* appropriate measures, including, but not limited to:

- Nations with universal jurisdiction and nations whose citizens or corporations aided and abetted or were complicit in genocides by the Saddam Hussein regime and ISIS (Da'esh) should prosecute such persons or corporations in their national courts.
- Nations with universal jurisdiction for the crimes of genocide and crimes against humanity committed by the Saddam Hussein regime and ISIS (Da'esh) should prosecute persons accused of committing such crimes who are resident in or are citizens of such countries.
- The government of Iraq and other governments that were complicit in or aided and abetted these genocides should pay reparations to survivors and victims of the genocides of Kurds by the Saddam Hussein regime and by ISIS (Da'esh).
- The United Nations Security Council should refer jurisdiction for the genocides and crimes against humanity by ISIS (Da'esh) in Iraq to the International Criminal Court.

Resolution passed 3 November 2023.