



**Kurdish Organizations Network Coalition
for the International Criminal Court (KONCICC)**
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“The Kurds in Iraq fear that history will soon repeat”



Shahidan Cemetery in Halabja city, Unidentified bodies of 5,000 victims. 1,500 unidentified bodies lie together in one mass grave Source: KONCICC

[Erbil and Seoul: March 31, 2024] Thirty-six years have passed since the chemical attack on the city of Halabja, a Kurdish settlement in Iraq, was systematically carried out by the Iraqi Ba'ath regime to wipe out the Kurdish people. To commemorate the anniversary of the Halabja massacre of March 16, 1988, the **Kurdish Organizations Network Coalition for the International Criminal Court (KONCICC)** held the **‘From Genocide to Life’** conference in Erbil, Iraqi Kurdistan on March 15, 2024, to internationalize the crimes of genocide committed against the Kurdish people.



The Conference held a panel discussion featuring speakers from around the world [Iraq, Lebanon, Morocco, South Korea, U.K., and U.S.] who have made efforts to bring an end to genocide and crimes against humanity in their respective fields. The audience consisted of Kurdish NGOs, politicians, journalists, academics, as well as victims and their families.

Participating as a presenter and panelist in this conference, Suhena Mehra from the Seoul-based **Transitional Justice Working Group** shared TJWG’s efforts to produce a report in 2022 with **Crimes Against Kurds** (<https://crimesagainstkurds.org/>) which documents the ethnic cleansing in the region. Through cross-regional collaboration, the report “**Crimes Against Kurds: The New Ethnic Cleansing of the Disputed Territories**” has revealed abuses carried out by the Iraq state, Iranian-backed militias, and ISIS including forced displacement, murder, abduction, rape, burnings, and confiscation of farmlands, harassment of journalists, cultural discrimination, and employment discrimination.

[Report]

<https://en.tjwg.org/wp-content/uploads/2022/10/The-New-Ethnic-Cleansing-of-the-Disputed-Territories.pdf>

TJWG’s global outreach officer Suhena shed light on the similarity between these abuses and the ones committed by the North Korean regime to underline key lessons. By emphasizing the significant role of mapping and documentation work, she stressed the importance for the Kurdish community to learn from and work together with other minority groups, and share their efforts on an international scale.



The biggest impact is felt by women and children when it comes to genocide and other crimes against humanity in both regions, stressed Suhena. Both have led to enslavement, forced unpaid labor,

trafficking, and sexual and gender-based violence (SGBV). The KONCICC members are keen to learn about the plight of Korean women under the North Korean regime as well as those affected during the Japanese colonial period because the Yazidi women and girls are currently facing not only genocide but also mass enslavement. In her presentation, Suhena drew parallels between these crimes against Yazidi women and the Korean women case, to highlight what can be learned from the past to find a way to stop history from repeating.



International speakers spoke about topics such as the Tamil genocide in Sri Lanka and the impact of killer robots. Source: KONCICC



International speakers paid tribute to victims of the Halabja massacre on the thirty-sixth anniversary. Source: KONCICC

The group of international speakers also paid tribute to the Halabja victims by visiting the unidentified graves and mass graves in the Shahidan Cemetery, during the anniversary event held on March 16, 2024, and commiserating with families of victims. KONCICC organized visits for international speakers to the Halabja Peace Museum, the Red Prison Museum, the Anfal Memorials, and The University of Halabja, which preserves Kurdish culture through a database of history and witness testimonies, which allowed for a deeper understanding of the atrocities committed in the region.

Justice and accountability remain elusive for these crimes. International actors and stakeholders must act to stop abuses, implement accountability, and restore victims. To push for concrete action that prevents genocide in the future, while also supporting victims who are in need of aid and remembrance, KONCICC made the following recommendations as a part of the closing remarks for the conference:

Recommendations for the Iraqi federal government:

- The Iraqi government must provide the affected victims of the chemical attack with necessary health, medical, and international treatment, based on the first paragraph of Article 132 of the Permanent Iraqi Constitution of 2005.
- Based on the paragraph referred to in the first point, we call on the federal government to make every effort to improve the living conditions of the families of the martyrs and victims of the bombing of the city of Halabja and other Kurdish cities.
- Through the civil courts, and based on the decision of the Iraqi Supreme Criminal Court, we call on the Iraqi federal government to financially compensate the families of the martyrs and victims of the chemical bombing, and as a successor to the previous government, to provide an

apology to the people of Kurdistan and the people of the city of Halabja as moral compensation.

- The Iraqi government must adhere to all international treaties and agreements related to preventing the trafficking of chemical weapons, smart weapons, phosphorus weapons, cluster weapons, and nuclear weapons, in order not to repeat similar crimes in any part of the world.
- Make the skies of the Kurdistan Region and Halabja Governorate a symbol of peace and prevent the flights of warplanes in their airspace.
- We appeal to the Iraqi government, through the Martyrs Foundation (the Mass Graves Department), and based on Law No. 5 of 2006 (the Mass Graves Protection Law), to open the mass graves of the victims of the chemical bombing and rebury them in proper ceremonies.
- The Iraqi government must implement the international treaties regarding the establishment of the Organization for the Prohibition of Chemical Weapons (OPCW) and the decisions issued by this organization so that similar crimes are not repeated in any other place in the world.
- We call on the Iraqi government to join the signatory states of the Rome Statute of the International Criminal Court and to join the ICC.
- We call on the Iraqi federal government to assist and support the Halabja Victims Organization in its effort to bring the companies that helped the Iraqi government obtain chemical weapons to international courts.
- The Iraqi government must work to implement the two paragraphs of Article 132 of the Permanent Iraqi Constitution of 2005.
- Working to activate the committee to internationalize the crimes of the former regime, which was formed in the cabin of Mr. Nouri al-Maliki to define the crimes of the exterminated regime internationally.

Recommendations for the Kurdistan regional government

- We call on the Kurdistan regional government to show greater interest in the anniversary of the chemical bombing of the city of Halabja and to allocate a special budget to commemorate this occasion in a modern and appropriate manner.
- The Ministry of Martyrs and Anfal Affairs must work to make the anniversary of the bombing of the city of Halabja a national occasion, based on the internal regulations of the Ministry. It must commemorate the Halabja tragedy in a decent manner on 3/16 of each year.
- The Kurdistan Regional Government must work to internationalize the crime of bombing the city of Halabja with chemical weapons at the level of the Supreme Ministerial Committee.
- We call on the Kurdistan regional government, through the Ministry of Health, to pay greater attention to the hospital for those injured in the chemical bombing in Halabja by providing the necessary health equipment, supplies, and medical capabilities.
- Work to establish a center for scientific research on chemical weapons, to provide scientific studies and research on chemical bombing.
- Working to follow up on the file of missing children as a result of the bombing of the city of Halabja, returning them to the arms of their families, and solving their administrative and legal problems.
- Finally, the conference forms a committee to communicate these recommendations to the relevant authorities and follow up on their implementation

KONCICC's Sarkout Mahmoud, said:

"The conference aimed to foster dialogue, educate about the horrors of genocide, and discuss strategies for its prevention. During the conference, a set of demands was made including but not limited to retrieving compensation from the Iraqi government. We also ask that the Halabja airspace be closed to military planes, that a hospital be set up specifically for the victims still suffering the fallout of the Halabja chemical attacks, and that the efforts to identify the lost children of Halabja, who went missing during the attacks, be strengthened."

KONCICC's Hemin Hassib, said:

"We want the Kurdish genocide to be known to the world. To do this we wanted to gather knowledge from experts around the world and we decided to hold this conference at a time when the Kurds are at a high risk of genocide occurring again. The Iraqi army is committing crimes against the Kurds in Kirkuk right now. We would like the outcome of this conference to result in Iraq joining the Rome statute as an ICC member, for the companies who trade chemical weapons with Iraq to be prosecuted, and for mass graves to be exhumed and bodies to be identified."

Women, Peace, and Security agenda Expert Shirine Jurdi, said:

"I talked a lot about documentation during the conference, just to realize during the field trips that documentation is there but there is a lack of visibility. I would like to recommend that the Kurdish civil society join international organizations and be part of international spaces, whether it be the control arms coalition, the campaign to stop killer robots, the women's peace security community and the youth peace and security community. They need to be vocal about the documentation they have been doing and be clear about putting forward their human rights approach."

World Tamil Coordinating Committee's Dr. A.R.Sriskanda Rajah, said:

"The conference highlighted the struggles and challenges the Kurds and other nations subjected to genocide and other international crimes face, decades after these were perpetrated against them. It is imperative that the international community takes tangible steps to create national and international mechanisms to prevent these atrocities from recurring in the future."

Center for Defending Civil Rights & Liberties' Diala Chehade, said:

"International politics and the veto holders are blocking the application of international treaties against the interest of peoples and human rights around the world. Governments calling for the protection of human rights should act outside the UN to execute the decisions of the ICJ and to ensure the application of international laws."

Moroccan Center for Peace and Law and African Network on International Criminal Justice in North Africa's Hisham Al-Sharqawi, said:

"My participation in the Erbil conference on the crime of genocide comes to shed light on the principle of non-impunity through the International Convention on the Prevention of the Crime of Genocide, as well as through the Minnesota Protocol. The first observation is about the authorities dealing with the legacy of mass graves, as we noticed that the authorities did not respect the evidence. The United Nations should support and facilitate the discovery of the fate of the forcibly disappeared, as well as exhuming the remains from mass graves and conducting DNA analysis. The

second observation is that the experience of transitional justice in Iraq worked well on the issue of preserving memory through the construction of memorials in Halabja and many areas now. This was done by constructing memorials for the victims of Halabja and the Anfal areas. It also worked to preserve the painful memory by converting some prisons known for systematic torture into tourist attractions, in addition to documenting oral accounts of forced disappearance. The Iraqi experience in transitional justice is an experience full of lessons and lessons that should be given more attention.”

TJWG’s Suhena Mehra, said:

“While the legal framework doesn’t allow for the crimes committed against the Kurdish people to be deemed ‘genocide’, the resilience shown by the Kurdish community, to not only document their history, memorialize victims, and make demands for accountability, but also to proactively try and prevent history from repeating, is highly commendable. While we might be from different parts of the world, the impact of genocide and crimes against humanity leads to the same unmeasurable suffering. It is imperative that minority groups don’t suffer in isolation, but join hands and share knowledge and expertise on documentation of violations, the use of technology for identifying perpetrators and identifying victims, as well as making legal submissions to the UN. The Kurdish people believe that the mountains are their only friends, it is time that the international community proves them wrong.”

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Kurdish Organizations Network Coalition for the International Criminal Court <https://koncicc.org/>
KONCICC, established in March 2013, is a coalition of Kurdish NGOs whose aim is an Iraqi ratification of the Rome statute and thus an Iraqi membership at the International Criminal Court. By organizing seminars for Iraqi lawmakers and people working in the Law sector we promote the ICC in Iraq. We also organize rallies to urge the Iraqi government to sign the treaty

Transitional Justice Working Group <https://en.tjwg.org/>

TJWG is a human rights documentation NGO established in Seoul in 2014 by human rights activists and researchers from five countries (South Korea, North Korea, the United States, the United Kingdom, and Canada). The organization aims to develop the best practice to address mass human rights violations and to realize a victim-oriented approach and justice in societies that are making a transition from or have yet to make a transition from armed conflict or dictatorship. TJWG is a leading organization in documenting and mapping human rights violations in countries with limited physical access, such as North Korea.

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