

## **Draft of the Syrian Yazidi National Conference**

According to unofficial statistics, the number of the Yazidi religious minority in Syria before 2011 was estimated at about two hundred thousand people.

Despite That, since independence successive Syrian governments have failed to adhere to the principles of international human rights law, as they have not recognized the legal existence of the Yazidis as an independent religious minority, and no laws have been enacted or constitutional articles have been included that guarantee their religious, cultural and political rights. This institutional disregard has led to a flagrant violation of Syria's international obligations under the International Covenant on Civil and Political Rights (ICCPR), the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Racial Discrimination.

On the other hand, the Yazidi religious minority has been subjected to the largest number of invasions over the past five centuries, while they have never been aggressors or attackers of any human group at all, but have always been victims of religious, ethnic or expansionist wars.

Yazidism is an independent, non-missionary religion with deep historical roots extending back thousands of years. The Yazidis are geographically concentrated in their historical lands in the regions of Hasakah, Qamishli, Amuda, Serekaniye (Ras al-Ain), Afrin and Aleppo. The Yazidis are distinguished by their religious and national unity, as they are Kurds by nationality and Yazidi by religion, which makes them a unique component within the Syrian fabric.

Over the centuries, the Yazidi minority has been a continuous target of genocidal campaigns and crimes against humanity, which constitutes a direct violation of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. These crimes have reached their peak since 2012, as documented reports issued by international organizations such as the United Nations and non-governmental organizations confirmed that extremist organizations committed crimes against humanity against the Yazidis in Syria, motivated by extremist religious motives that violate international and customary laws prohibiting religious persecution.

In light of the radical political transformations that Syria has witnessed after the fall of the Syrian regime, it has become necessary for the upcoming constitutional process to take proactive measures to guarantee the rights of the Yazidis in accordance with the principles of transitional justice, which the Office of the High Commissioner for Human Rights defines as a set of judicial and non-judicial measures aimed at addressing the legacy of gross human rights violations.

Accordingly, the "Syrian Yazidi National Conference" aims to establish a clear and binding legal framework that includes constitutional recognition of the rights of the Yazidis, protecting them from any future targeting, and ensuring their effective participation in shaping Syria's political future. The Yazidis also affirm that their demands represent an integral part of national efforts to achieve justice for all Syrian components, ensuring peaceful coexistence and equality in rights and duties for all citizens.

Given the scale of the gross violations and systematic crimes that the Yazidis have been subjected to in Syria, this conference was held in the presence of representatives of Yazidi organizations, movements, institutions and associations inside and outside Syria, in addition to clerics, independent figures, activists and Yazidi human rights activists from inside and outside Syria.

The participants agreed that these provisions constitute a legal basis for guaranteeing the political, civil, and religious rights of the Yazidis, and for providing protection from any future violations, while ensuring that perpetrators of past crimes do not escape accountability.

These demands also represent a comprehensive legal document that embodies the will of the Yazidi community in all its spectrums, and aims to contribute effectively to achieving justice and fairness within the constitutional and political framework of the future Syrian Republic, in line with international human rights standards and the provisions of international humanitarian law.

While the Yazidis in Syria affirm their deep national affiliation with the broader Kurdish component, their constitutional demands and their religious and cultural rights are an integral part of the general efforts to achieve legal recognition and fair political representation for all Kurds in Syria.

The Yazidis stress that their presentation of these demands is neither an alternative nor separate from the broader Kurdish aspirations, but rather they see it as a complementary and reinforcing step towards the comprehensive national project aimed at establishing justice and fairness for all Syrian components.

### **Constitutional demands:**

#### **1. Constitutional recognition of the existence of the Yazidis:**

Including an explicit clause in the constitution that recognizes the existence of the Yazidis as an independent religious minority and guarantees their protection and their civil, political and religious rights, for example: "The Yazidi religion is considered an integral part of the cultural and religious fabric of Syria, and the followers of the Yazidi religion enjoy all the rights guaranteed to all citizens under the constitution and international laws, in a manner that guarantees their dignity and the protection of their property."

**2. Enacting a personal status law for the Yazidis:** Including a constitutional article stipulating the right of the Yazidis to organize their personal affairs according to their own religious traditions, while ensuring the freedom to choose the laws governing marriage, inheritance, and guardianship without forcing them to adhere to the laws of Islamic jurisprudence.

**3. Inclusion of a quota system for Yazidi representation in state institutions:** Allocating a quota system will ensure fair and effective representation of Yazidis in all state institutions, including: - Legislative councils (parliament and local councils). - Executive bodies (government and ministries). - Judicial bodies (the Supreme Constitutional Court and others).

The quota percentage should be clearly defined in the constitution to ensure that this minority is not marginalized in political and administrative decision-making.

4. **Protection of religious and cultural sites:** Include a clause stipulating the protection of shrines and religious sites of the Yazidis and all minorities, and criminalizing any attack on them.
5. **Criminalizing hate speech and incitement against minorities:** Include a constitutional article criminalizing hate speech and incitement to violence against Yazidis or any other minority. The article should include clear penalties for individuals and institutions that promote hatred, in line with Syria's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination.
6. **Ensuring the state's religious neutrality:** Syria must be a civil state based on the principle of equal citizenship and the rule of law, without imposing any religious reference on legislation or governance. It is prohibited to include any articles requiring that the religion of the President of the Republic be Islam or making Islamic jurisprudence a primary source of legislation, to ensure complete equality among all citizens regardless of their religious or ideological affiliations, and to prevent discrimination in all state institutions, as they conflict with the principle of constitutional equality and Syria's international obligations, including the International Covenant on Civil and Political Rights.
7. **Include Kurdish as an official language:** Add a new clause to the constitution stating that "the Kurdish language is an official language in the Syrian Republic alongside the Arabic language, and its use is approved in official and administrative institutions and educational curricula." This clause reflects the cultural and linguistic diversity in Syria and guarantees the linguistic rights of minorities in line with international human rights standards.

#### **Legislative demands:**

1. **Issuing a law to ensure the return and compensation of displaced persons:** Ensuring the voluntary return of displaced Yazidis from Afrin, Serekaniye/Ras al-Ain and other areas. In addition to compensating them materially and morally for the damage to their property and religious shrines, as well as allocating resources to rebuild the affected areas, including shrines and cultural sites.
2. **Issuing a law to combat terrorism and protect minorities:** It aims to criminalize crimes against Yazidis in Syria, and obligates the state to prosecute all those involved in these crimes and ensure compensation for victims.
3. **Issuing an anti-discrimination law:** defining and criminalizing discrimination in all its forms, while establishing preventive mechanisms to protect minorities and guarantee their rights in the political, economic, and social fields.
4. **Anti-hate speech law:** criminalizing the publication or promotion of hate speech against the Yazidis or any other minority, with severe penalties imposed on violating individuals and institutions.
5. **Correcting or amending the Civil Status Law:** The necessity of correcting the incorrect civil status records of the Yazidis with regard to religion.
6. **Establishing a body to monitor coexistence:** an independent body concerned with monitoring and combating hate speech, promoting peaceful coexistence among all components, and providing legislative and administrative recommendations to maintain societal peace.
7. **Searching for kidnapped Yazidis:** Enacting legislation obligating the state to cooperate with international and local organizations to locate kidnapped Yazidis and ensure their return to their families.

8. **Including a culture of tolerance in school curricula:** Developing educational materials that highlight the history and culture of the Yazidis and their role in Syrian society, and promoting the values of tolerance and cultural and religious diversity in school curricula.
9. **Allocating official holidays for minorities:** Amending the Labor Law to include recognition of Yazidi religious holidays as paid official holidays, to ensure respect for their culture and religious practices.
10. **Commemorating crimes committed against Yazidis:** Allocating a national day to commemorate crimes and violations committed against Yazidis, to raise awareness of the importance of protecting minorities and preventing the recurrence of violations.
11. **Issuing a commemorative stamp:** Issuing a national stamp bearing symbols expressing religious and cultural diversity in Syria, to promote the values of national unity.

#### **Demands addressed to the transitional or interim government in Syria:**

1. Ensure fair representation of the Yazidis during the transitional phase and in the Syrian Dialogue Conference: Fair and effective representation must be allocated to the Yazidis within all bodies concerned with managing the transitional phase, including the Syrian Dialogue Conference, to ensure their participation in the decisions that establish the future Syria.
2. Include the Yazidis fairly in the committee drafting or amending the Syrian constitution: The participation of Yazidi representatives in the committee drafting or amending the Syrian constitution should be ensured, taking into account that this participation allows them to express their constitutional demands and their rights as a religious and cultural minority, ensuring that their vision is included within the new legal framework of Syria.

#### **International demands:**

1. **Political support for the Yazidis:** The Yazidis demand that major countries, such as the United States and the European Union, provide political support for this document to ensure their fair representation in the Syrian political process and in future state institutions, ensuring recognition of their rights as an integral component of Syrian society.
2. **Establishing an international center to monitor violations:** The Yazidis call on the international community to establish an independent international center to monitor and document the violations to which they have been subjected, including forced displacement, destruction of shrines, and crimes against humanity, while supporting judicial efforts to ensure that those responsible are held accountable.
3. **Logistical support to document rights:** The Yazidis demand the provision of logistical and technical support to document violations against them, including training human rights teams, and securing the necessary resources to collect and analyze evidence, and present it before national and international courts.
4. **Ensuring the Right of Return and Reconstruction:** The Yazidis call on the international community to support their right to voluntary return to their areas of origin, such as Afrin and Serekaniye/Ras al-Ain, while providing a safe and stable environment, and ensuring the reconstruction of destroyed shrines and properties, under international supervision to ensure effective implementation.

5. **Promoting Transitional Justice:** The Yazidis demand the activation of transitional justice principles with international support, to ensure accountability for perpetrators of crimes against them, compensation for victims, and reform of institutions to ensure that violations are not repeated.
  
6. **Promoting Peaceful Coexistence:** The Yazidis call on the international community to support programs aimed at promoting a culture of peaceful coexistence and religious diversity in Syria, with a focus on raising awareness of the role of minorities in building a cohesive and just society.

The signatories from organizations and institutions:

- 1- Union of Yazidis in Syria (Yekîtiya Êzîdiyên Sûriya)
- 2- "Syrian Yazidi Jurists" Group
- 3- Ezdina Organization
- 4- The Yazidi Women's Union in Rojava
- 5- The Yazidi Youth Union in Syria
- 6- The Syrian Yazidi Gathering – Hevbendiya Êzîdiyên Sûriye HÊS
- 7- The Yazidi House in the Jazira Region and its branches in Hasakah, Amuda, Tirbespiye, and Sere Kaniye
- 8- The Afrin Yazidi Union and its branches in Afrin, Aleppo, and the Shahba region
- 9- The Kaniya Spi Association
- 10- The Yazidi House in Siegen – Germany
- 11- The Supreme Council of Yazidis in Syria
- 12- The Intellectual Youth Gathering

The signatories from individuals:

1. Daoud Naso – Human rights activist
2. Ibrahim Semo – Human rights activist and writer
3. Sheikh Ziyad Afdal – Yazidi religion instructor
4. Fawaz Ayo – Activist
5. Mother Iman
6. Sheikh Khalaf Hamqadi – Cleric
7. Fathi Amro – Activist
8. Jarkin Nabo
9. Hussein Sino
10. Salwa Elias – Activist

11. Sheikh Mustafa Kalo
12. Waheed Sheikho
13. Hadiya Shamo
14. Ibrahim Doshi
15. Ali Shalash
16. Hamid Alo – Lawyer
17. Haval Rash – Lawyer
18. Abdo Brimko – Activist
19. Saado Bro – Writer
20. Khidr Hamo – Activist
21. Maksim Ismail – Media activist
22. Pir Hakim Mustafa
23. Fathi Amro – Activist
24. Farhad Hesso – Activist
25. Jaafar Eiso
26. Hikmat Hesso – Engineer and activist
27. Azad Hamo – Activist
28. Waheed Sheikho – Engineer and activist
29. Abdo Eiso
30. Mowal Bashar
31. Hussein Sino – Writer
32. Sido Rashid – Poet
33. Shiyar Osman – Technology expert
34. Nidal Jaafar – Photographer
35. Hussein Mahko – Activist