



Research Article

Compensation for the Victims of the Halabja Genocide in the Perspective of International and Iraqi Law

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Abstract. Genocide is an international crime that consequently has punitive, material, and moral consequences. The families of the victims must receive material, spiritual, and symbolic compensation in addition to punishing the perpetrators. International law and the national laws of Iraq and the Kurdistan Region enshrine this. Both domestic laws and transitional justice initiatives influence the judicial system in Iraq. Halabja and other crimes perpetrated by the former administration have been recognised by post-2003 legal changes, including as the creation of the Iraqi High Tribunal. Nevertheless, issues still exist, including poor compensation plan execution, a dearth of thorough legislative frameworks for reparations, and political and financial obstacles that impede the administration of justice. In this research, the method of case study and legal analysis is used to analyse the compensation of the victims of chemical attacks and genocide in Halabja. The study aims to explain the provisions and methods for genocide victims in international and Iraqi laws. In this respect, although the Iraqi High Criminal Court's recognition of the genocide in Halabja city. However, due to

financial and legal problems, the law has not been implemented, and the victims of the Halabja genocide have not been compensated. In the end, offering adequate compensation is a step towards healing and reconciliation for the impacted communities as well as a matter of justice.

Keywords: Genocide of Halabja, victims, compensation, methods of compensation.

INTRODUCTION

Halabja is a city in Iraqi Kurdistan. On March 16, 1988, after the Iranian army had taken control of the city during the eight-year war between Iran and Iraq, aircraft from the Ba'ath regime bombed it with chemical weapons. The bombing resulted in the deaths of 5,000 civilians and the injuries of over 10,000 others. Later, the city's destruction led to its inhabitants' displacement.

The Halabja Genocide has been formally acknowledged as a crime against humanity and a genocide in post-Saddam Iraq. Senior officials who committed crimes during the Anfal Campaign, including the Halabja incident, were brought to justice by the Iraqi High Tribunal, which was set up after the overthrow of Saddam Hussein.

After the fall of the Ba'ath regime [1] and the establishment of a new system in Iraq, the Iraqi High Criminal Court declared the chemical attack on the city Genocide and the right to claim compensation for the relatives of the victims. However, the relatives of the victims have not received this right due to legal and economic issues and the failure to implement the law as required.

The Halabja Genocide is considered a crime against humanity and a serious violation of the Geneva Conventions under international law. Many legal norms are broken when chemical weapons are used on people, including:

The use of chemical weapons in combat is prohibited under the 1925 Geneva Protocol and the 1993 Chemical Weapons Convention. The ban is based on customary international law, even though the Convention was enacted after the Halabja tragedy.

States are required to prevent and punish crimes of genocide under the 1948 Genocide Convention. Genocide victims are entitled to compensation via ad hoc courts or the International Criminal Court (ICC).

In 2005, the UN General Assembly established the Basic Principles and Guidelines on the Right to a Remedy and Reparation, upholding victims' rights to restitution, compensation, rehabilitation, and non-repetition assurances.

As regards the Iraqi legal regulations allow for the recognition of victims' rights, also the Kurdish people's suffering and the need to correct past injustices are recognised in Iraq's constitution.

The Iraqi government has taken some steps to provide survivors and victim families with financial help and compensation, but these initiatives have come under fire for being patchy and inadequate.

In spite of legislative frameworks, effective reparations initiatives have been impeded by obstacles including political instability, bureaucratic inefficiency, and a lack of funding.

Although international law offers strong foundations for dealing with atrocities like as the Halabja Genocide, it is nonetheless difficult to turn these ideals into

practical justice for victims. Iraq's attempts to provide compensation for victims are hampered by a lack of funding, political unrest, and the need for more extensive efforts at reconciliation. To provide justice and healing for the Halabja victims, greater domestic law changes, more advocacy, and international collaboration are necessary.

Aim of the study

The most important objectives that this study seeks to achieve are:

1. Introducing Genocide victims and their families.
2. Analysis of the law, the constitution, and the decisions of the relevant courts regarding compensation.
- 3- Familiarise yourself with and understand the methods and types of compensation and legal principles in international law and the national laws of Iraq and the Kurdistan Region.

LITERATURE REVIEW

The Halabja Genocide, which occurred in 1988 in the Kurdish city of Halabja, has raised significant legal concerns about compensation under both local and international law. The 1948 Convention on the Prevention and Punishment of the Crime of Genocide established that genocide is a crime against humanity, and signatory governments are required to avoid genocide and maintain responsibility, including providing victims with compensation. The International Criminal Court (ICC) and the International Court of Justice (ICJ) emphasize reparations for victims of genocide, which usually include restitution, compensation, rehabilitation, satisfaction, and assurances of non-repetition.

Numerous scholarly works have been written on the Genocide against the Kurdish people, detailing the exact date and location of this crime as well as the oppression of the Kurdish country. One such work is Taha Sulaiman's 2016 book, *Kurdistan Genocide*.

According to Taha Suleiman, Raphael Limkin, a Polish man, coined the term "Genocide." Raphael was born in 1900 into a Jewish household in Poland. During World War II, he lost family members to the conflict. In addition, the author discusses the crimes and Genocide that have occurred in Kurdistan. The book is divided into several sections, including those on the Genocides of Qaladze, Faily Kurds, traders, Sardasht, Halabja, Anfal, and Yezidis by chemical attack [2].

In a 2021 magazine *Futurology* No. 6 article headlined "Genocide, a major crime, and a small lesson," Adnan Ahmad discussed the savagery of the Ba'ath regime's Anfal and chemical strikes on Iraqi Kurds. He was someone of Kurdish descent.

Furthermore, Nabaz Samad, released a paper titled "What is Genocide?" on March 16, 2017 [3]. The author of this article notes how the meaning of the word "Genocide" has evolved and states:

The word "Genocide" was coined after World War II by Raphael Lemkin, a Polish Jewish lawyer and jurist, who first used the phrase while looking into the atrocities committed by Nazi Germany against European Jews. Lemkin focused his legal career on the legal aspects of these crimes to fight the crime of Genocide because

he desired an international treaty to prevent it. Consequently, on December 9, 1948, in Paris, the United Nations signed the Convention on the Suppression and Punishment of the Crime of Genocide.

The study by Sherko Kermanj and Aram Rafat, titled "Kurdish Genocide in Iraq: Security-Anfal and Identity-Anfal," appeared online on April 20, 2020, in the journal *National Identities*, pages 163–183 [4]

The Anfal, according to Kermanj and Rafat, was the name of the genocidal campaign the Iraqi government carried out against the Kurds between February and September of 1988. Thousands of Kurdish people lost their lives during the little over seven-month campaign, which destroyed most of the rural areas of Iraqi Kurdistan. In this article, researchers look into secondary sources on the Anfal operation and either directly or indirectly offer certain facts and documents. The method by which Kurdish citizens were slain and vanished during the operations should be thoroughly investigated in order to determine and elucidate the Iraqi state's motivations. The two main elements that they highlighted are security and identity, even though the aims and purposes of the Iraqi government are multifaceted. The primary driving force behind the Anfal of identity was the Kurdification of Kirkuk province, which aimed to Arabize strategically, economically, and politically significant regions of Iraqi Kurdistan. Anfal's goal was to subdue Kurdish rebel organisations.

Most researchers have ignored the issue of compensation for the victims of the Kurdish Genocide process and have focused on the multiple strategies, dimensions, and motives of the operations and/or the military and genocidal dimensions of the operation.

The Halabja assault was declared a genocide by the Iraqi Supreme Court in 2010, setting the foundation for domestic legal systems addressing victim recompense. Iraq has put in place certain laws to deal with the fallout from the genocide, such as the Law on Victims of Terrorism (No. 20 of 2009), which was revised in 2015. However, the application to the Halabja victims is often criticised for its poor execution and bureaucratic hold-ups.

Iraq's compensation system faces several challenges, including bureaucratic inefficiency, insufficient funding, and marginalization of Kurdish demands. Comparative views from international case studies demonstrate the importance of confronting past crimes with a clear legal framework, international collaboration, and persistent political commitment. Suggestions for Halabja victims to receive adequate compensation include improved internal legal systems, international collaboration, and victim-centred strategies.

This paper emphasises the solution to the issue of compensation for the victims of the Kurdish Genocide process and points out the legal ways to compensate the victims of the Kurdish Genocide.

The research question:

The following are the key questions that this research aims to address:

1. What do the terms "victim" and "victim's family" signify in terms of international and national legislation in Iraq?
2. What kinds and approaches to compensation are there?

3. How may the case's victims get compensation?
4. Who bears the cost of compensation?

Methodology of the study:

In writing this research, we have mainly used one academic method, namely the method of legal analysis, to analyse the provisions, articles, and laws related to compensation, and to analyse the decisions of the relevant courts.

A qualitative research method was implemented to investigate this research, incorporating primary and secondary data sources. Primary data was acquired through the use of interviews and document collection.

During the period from 2021 to 2022, the researchers conducted a series of interviews with a cohort of twenty respondents. The sample included executives of interviews and the appropriate parties, such as Halabja advocacy organisations, community leaders, and survivors.

International organisations working on genocide reparations, Iraqi government, and legal experts.

Interviews were also conducted with professionals from academia, politics, and law. The data collection process included audio-visual techniques to guarantee accuracy in data recording. Structured and semi-structured interview questions were employed to gather pertinent information efficiently. Interviews were conducted in the Kurdish language and were subsequently translated and transcribed into English. Interviews are essential for this qualitative research since they assist the study in describing, better understanding, and exploring. After this, all interview data were analysed in English.

In transcription and translation, the study achieved data immersion, which assists in identifying themes during subsequent analysis (Braun & Clarke, 2021).

Supplementary sources, including: Original Sources Legal papers include Iraqi legislation, international treaties, and court rulings.

Statements or reports from the government on compensation for Halabja victims. statements from impacted families and survivors.

data such as books, articles, and online newspapers from domestic and international sources, were utilised to augment the research outcomes in conjunction with primary data.

The sources have furnished significant perspectives regarding the functions and undertakings of International Law.

Emphasise duties and rulings that are pertinent to the Halabja issue.

Iraqi Law: Assess the effectiveness and shortcomings of national compensation schemes for victims of the Halabja.

Comparative Perspectives: Talk about how Iraq can adopt excellent practices from other countries. Compensation for the victims of the Halabja Genocide in the perspective of international and Iraqi law.

The present study endeavours to elucidate to explain the provisions and methods for genocide victims in international and Iraqi laws. In this respect, although the Iraqi High Criminal Court's recognition of the genocide in Halabja city but they faced some difficulties: such as legal barriers, such as loopholes in domestic

legislation or a lack of enforcement. administrative and financial obstacles, such as a lack of funding for restitution. political obstacles, such as Iraq's continued instability or a lack of political will.

However, Iraq can provide a compensation approach that combines Iraqi legal procedures with foreign assistance.

Encourage the creation of a dedicated reparations fund for the victims of Halabja. Iraq also can change legislation to improve victim compensation systems.

In addition, researchers suggest alliances or international supervision to guarantee adherence to standards. Also, researchers stress the value of victim compensation for national healing, transitional justice, and giving Halabja survivors their dignity back. This technique offers an organised way to evaluate and create plans for restitution for the Halabja Genocide victims.

The Halabja Genocide, a 1988 chemical weapons attack on the Kurdish city of Halabja in Iraq, is a significant event that has led to numerous injuries and forced relocations. The Halabja Genocide violates international law, including the Articles on State Responsibility of the International Law Commission, which require states to fully compensate victims for their unlawful actions. The UN Basic Guidelines and Principles on the Right to Reparation and Remedy (2005) provide for timely, sufficient, and efficient compensation for serious violations.

However, enforcement of these laws has been challenging due to international pressure and political will. Iraq rejected international responsibility under Saddam's rule, and despite foreign assistance, its judicial system struggled to adequately compensate victims after 2003. Iraq's domestic law includes concepts of justice and restitution, but its application has been difficult due to political unrest and lack of funding.

The Iraqi High Tribunal (IHT) was created in 2003 to try cases involving crimes committed under Saddam, such as the Halabja massacre. However, the tribunal did not create extensive procedures for victim compensation. Compensation for Victims of War and Military Operations (Law No. 20 of 2009) provides medical attention, cash compensation, and other forms of assistance. However, implementation has been patchy due to insufficient finance and bureaucratic obstacles.

Iraq is obligated by international law to provide compensation to the victims of the Halabja Genocide, and strengthening domestic legal systems is necessary to ensure justice. The UN and other international organizations can be helpful in helping Iraq successfully carry out these responsibilities.

Victims and beneficiaries of compensation:

The concept of victims is defined in Rule 85 of the Rules of Procedure and Evidence of the International Criminal Court (hereinafter: the Court), namely (natural persons and legal persons), relating to natural persons, their families, or persons directly or indirectly affected by the crime committed by the offender that has been punished [4], and has caused physical and mental suffering to the victims and their families [5].

It is important to remember that Article 79 of the Rome Statute of Court does not define the term "family." On the other hand, Rule (75) of the Rules of Procedure

and Evidence defines "family members" as "spouse, children, or parents" in paragraph 1[6]. However, it's unclear whether this Rule's meaning is often adhered to or not. This definition is only applicable to the particular problem of testimony. Rule 75, which deals with allegations made by family members during testimony, prohibits the court from asking an accused person's spouse, children, or parents to make any statements that might be seen as incriminating the accused [6]. It seems that the definition of regulation (75) relates to the beginning point rather than the end point for defining "family members" for the purposes of compensation, and the court should focus more on this definition where it is suitable. There is undoubtedly a need for further clarity [6]. This is particularly true about how various ethnic and cultural traditions define "family" and how they need to be conveyed in terms of pay [3]. The UN Human Rights Committee states that to comprehend the cultures of the Member States in question, the term "family" should be used broadly to encompass all individuals who comprise a family [6]. The idea of "family" may have many different cultural connotations, and the court must take relevant social and familial institutions into consideration. Within this particular circumstance, the court must consider the commonly acknowledged assumption that a person is supplanted by their spouse and children [3].

As a consequence, the court chooses to modify the concept's definition to reflect the customs of the benefit groups [7]. The question of pay and benefits for family members is straightforward to resolve.

According to Rule 85 of the Rules of Procedure and Evidence

I. A victim is a natural person who has suffered loss as a result of any offence committed within the court's jurisdiction. This definition applies to both the Rome Statute of Court and the Rules of Procedure and Evidence.

II. Victims may be organisations or institutions that have suffered direct harm from any property used for philanthropic, scientific, educational, religious, or historical reasons; they can also be historical sites, hospitals, or other locations with humanitarian goals [8]. (The court noted in its ruling that compensation is provided to legal entities in compliance with the second paragraph of Rule (85) of the Rules of Procedure and Evidence, and it verified that legal people get compensation. Government offices, public schools, hospitals, private educational institutions (primary and secondary schools or training colleges), businesses, telecommunications companies, organisations that assist the community (like microfinance organisations or cooperative and constructive societies), and other partners [9]. (This demonstrates that legal entities will profit from being compensated for the harm they have endured, as shown by evidence from legal and regulatory bodies as well as court rulings and thorough audits.

This implies that the advantages of family members may be readily determined by the court when determining compensation.

According to Rule 85 of the Rules of Procedure and Evidence, the victim is defined as follows for the purposes of the Rules of Procedure and Evidence as well as the Rome statute of Court:

(1) Natural individuals who have experienced loss as a consequence of committing any offence falling within the court's jurisdiction are considered victims.

(2) Organisations or institutions that have suffered direct harm from any property used for philanthropic, scientific, educational, religious, or historical reasons, as well as from hospitals and other locations and humanitarian endeavours, may be considered victims.

The court noted in its ruling that compensation is provided to legal entities in compliance with the second paragraph of Rule (85) of the Rules of Procedure and Evidence, and it affirmed that legal people get compensation. Government offices, public schools, hospitals, private educational institutions (primary and secondary schools or training colleges), businesses, telecommunications companies, organisations that assist the community (like microfinance organisations or cooperative and constructive societies), and other partners. This demonstrates that legal entities will profit from being compensated for the harm they have endured, as shown by evidence from court rulings, thorough audits, and legal and regulatory bodies.

Rule 85 of the Rules of Procedure and Evidence states that both direct and indirect victims, including family members of direct victims, are eligible for compensation. This also applies to anyone who attempted to stop one or more of the crimes under investigation from happening, regardless of whether they took part in the proceedings [10].

Victims of Genocide in the Iraqi National Law:

The Iraqi High Criminal Court Law, No. 10 of 2005, as amended, defines victims of Genocide as national or ethnic groups or religious groups when the following acts are committed against them to destroy them in whole or in part [11]. This is even though the relevant Iraqi national laws do not define the concept of victim clearly.

- A. Murdering a bunch of people.
- b) Serious injuries to a group of people's bodies or minds.
- c) Willfully exposing a group of individuals to a living situation with the goal of eradicating them entirely or partially.
- b) Enforcing rules to restrict procreation within a group.
- e) The forced relocation of kids between groups [12].

It is evident from the aforementioned legal document that the crime of Genocide in Halabja includes each of the aforementioned factors (a, b, and c).

Regarding the victims' relatives, no comprehensive and uniform legislation recognises them. The victims' families are considered first-class relatives and heirs under several regulations passed by the former administration providing for both human and material recompense for genocidal crimes. Mom, dad, kid, partner, sibling, brother, son, and daughter.

Drawing from the aforementioned two guiding principles, we may conclude that the two major notions and problems in the subject of Genocide the victim and the victim's family are ill-defined and ambiguous, necessitating a thorough legal elucidation.

Types and methods of compensation

1. Types of compensation: Based on how it is distributed, compensation is split into two categories:

* Individual compensation refers to benefits that are given directly to a victim to make up for the harm they endured as a consequence of the crimes for which the offender was found guilty. This kind of compensation is one to which the victim is expressly entitled. Individual compensation has to be disbursed in a manner that doesn't exacerbate already existing conflict and division in the affected areas. This implies that crimes may be conducted against the person, either against him or his private property, and that those who gain from the compensation are explicitly targeted.

* Collective compensation: describes the kind of goods or services provided, how they are provided, or who receives them (communities or groups). In contrast to individual compensation, they serve a class or group of people who have experienced a shared loss. When this kind of compensation is given, it has to take into account both the victims' individual and social losses. This implies that these communities or groups share the harm and are rewarded jointly for it as well as the common property.

Collective compensation is divided into two categories:

Category 1: Collective compensation (community compensation) is intended to benefit society as a whole and does not specifically address individual members [13].

This includes the construction of schools and hospitals, which are public contributions to society, and symbolic compensation in the form of memories, which essentially provides a collective benefit of sharing memories, which may not have been thought of in the individual concept [13].

* Category 2: (collective compensation with individual components) focuses on individual group members. Although collective in nature, they result in individual benefits, to respond to the needs and current situations of individual victims in the group [14].

It can be said that the health care provided to all members of the group is specialized and treats each victim individually.

Such collective compensation, framed as individual, is provided to a group of victims but allows the benefit to be tailored to the specific needs of each victim. This second category of collective compensation focuses on individuals [14].

- Compensation methods:

Training, narrative, and compensation are the three ways of compensation specified in the Rome Statute of the Court [15]. But in one instance, the Trial Department of the Court has expanded the ways to five. Additionally, he has raised symbolic payoff. In that instance, the court's trial division expanded the available compensation options to five [16]. It states right away that it is difficult to put the victims back in the same circumstances as before the offences were committed due to the many, varied, and complex forms of damage that they experienced. From this perspective, it makes sense to combine the numerous available compensation techniques to provide victims with the greatest possible recompense for the range of losses they have experienced [16].

According to the Trial Department of the Court, these methods of compensation are, in theory, acceptable to repair the harm done to direct and indirect victims as a consequence of the offences found guilty, and this conclusion is based on consideration of the rules governing compensation techniques. They are restoration, compensation, and retraining [16].

*** Restoration:**

The goal of restoration is to get victims and their communities back to how they were before [17]. Restoration is the process of bringing a person back to their pre-accident status or life. Either getting more knowledge or getting lost or stolen goods back. Returns are also permitted to be made to establishments that are recognised by law, including schools. In another sense, the goal of restoration is to return victims as close to their pre-crime state as feasible [18].

*** Compensation:**

Is a recognition of the harm caused by a victim or victims, generally in the form of money [19]. Stated differently, compensation is a kind of economic well-being that often takes the form of monetary payments or other actions mandated by the court, including paying for suffering losses. It could have to do with both monetary and non-monetary losses. It is an alternate remedy offered as a last resort in cases when other procedures are ineffective in undoing the consequences of the violation [18]. The rights that have been infringed cannot be replaced or restored by compensation alone. This is explained by the chemical weapons crimes at Halabja, which include the murder of over 5,000 people, the wounding of over 12,000 others, and the devastation of institutions related to education, health, and services. It is utterly impossible for victims to go back and do the same crimes again, and thus may be seen as falling under the category of crimes that are not monetarily significant but nevertheless need to be paid for and fairly rewarded to prevent victims from being victims again.

*** Retraining:**

Another way to compensate victims is via retraining. Retraining programmes are designed to help victims reintegrate into society while accounting for the disparate effects that these crimes have on victims of various genders [18]. Restoring victims' independence, as well as their physical, mental, social, and occupational capacities and full involvement in society, should be the ultimate goal of rehabilitation. Retraining might include advancements in the legal, medical, or social spheres [19]. It could be crucial to provide victims with psychological counselling in order to meet their demands for psychological rehabilitation [18]. Furthermore, rehabilitation should be seen as a way to assist victims in overcoming marginalisation and exclusion by regaining trust and self-confidence, shedding their victim status, and cultivating a sense of return to society [18]. Rehabilitation measures should also be aimed in part at preventing future conflicts. These compensatory measures, which take the form of training, are intended to offer victims and their communities a safe and secure atmosphere in which they may move beyond the crimes against them.

Measures of consent:

Consent measures: Consent refers to measures that acknowledge the violation and aim to protect the dignity and reputation of the victim [18]. Such measures also include a general amnesty or acknowledgement of responsibility, commemoration, honouring and guaranteeing that the conduct will not be repeated [9]. As well as issuing certificates acknowledging the damage suffered by individual victims; and Establish outreach and publicity programs to inform victims of the outcome of the trial [18]. These steps can contribute to raising community awareness of the crimes committed by the offender, the need to rapidly educate and improve attitudes towards such crimes, ensuring that victims play an active role in their communities in particular, awareness and sensitivity to the meaning, facts and consequences [18].

The Trial Division of the Court also holds that other satisfactory measures in a guilty verdict case are sentencing and an order for compensation [18].

This means that sentencing the four main perpetrators of the Halabja case is another measure of satisfaction for the victims and will allow the victims to be satisfied to some extent, reconcile with the perpetrators and integrate into society.

Symbolic compensation:

Symbolic compensation is an additional kind of remuneration that has been mentioned in court and might be used for training initiatives. The establishment of a community centre bearing the name Abe Bwanalonga [20] is one of the symbolic actions suggested in remembrance of Abe, with the dual purpose of facilitating a quicker rapprochement between the many societal segments that Abe interacted with [18].

Compensation for Genocide Victims in Iraqi Law:

Various forms of compensation are defined under the national laws of Iraq; they include spiritual compensation, symbolic compensation, material and financial compensation, and other sorts of compensation.

1. Moral compensation: The following actions may all be categorised as moral compensation:

1. Declaring the chemical assault on Halabja a Genocide and bringing legal action against some of the perpetrators:

The Halabja case was recognised as Genocide by the Iraqi House of Representatives on 17/3/2011 and the Iraqi High Criminal Court on 17/1/2010) [21]. Ali Hassan al-Majid received a death sentence, while Sultan Hashim Ahmed and Sabre Abdulaziz Hussein al-Duri received jail sentences [22].

However, in order to fulfil its mandate, which included investigating the crimes of the dictatorial regime and its symbols as specified by the Iraqi constitution, Law No. 35 of 2011 reduced the court to one criminal committee and one investigation committee of the Supreme Judicial Council [23].

2. Prohibiting the Ba'ath Party from serving as the ruling party of the regime that carried out the Genocide in Halabja: Since the Iraqi regime, which was ruled by the Ba'ath Party, was responsible for the Genocide, the law prohibits the Ba'ath Party,

its entities, parties, and any activities related to racism, terrorism, or Takfiri activities. No. (32) in 2016, [24]. The Ba'ath Party was forbidden by the requirements of this legislation from endorsing political, cultural, intellectual, or social activities under any guise or via any media outlet [25]. In addition, supported the party and appreciation He was sentenced to imprisonment for advocating forbidden ideas [26].

3. Preserving the mass graves of Genocide victims: In accordance with the Law on the Affairs and Protection of Mass Graves, No. 13 of 2015 [27], several steps have been taken to preserve the remains of victims who were martyred and buried or hidden under the Ba'athist regime. He was also sentenced to imprisonment for his support of the party and promotion of ideas that were prohibited. Burying the dead serves as a cover for the telltale traces and features of the Genocide crime. The most crucial of these responsibilities is looking for mass graves, excavating them when a judge orders it, and giving the corpses to the victims' relatives in accordance with the right rituals [28]. According to the law's language, mass graves are supposed to be protected in order to conceal the remnants of Genocide; but, in the case of the Halabja massacre, this is not the case because of the sheer quantity of dead that remain.

4. Creation of identity cards and shrines: In accordance with the Law on Compensation for Victims of Disability as a result of the Destroyed Regime, No. 5 of 2009 [29], as amended, people who were disfigured, lost, or suffered from chronic illness as a result of their opposition to the policies of the demolished Ba'athist regime will be granted a special identity card [30]. In light of this, the Halabja Memorial Monument was erected in Halabja to commemorate the Genocide that occurred there and to preserve the names, records, and recollections of its martyrs.

The Law on the Martyrs Institution, No. (2) of 2016 states that identification cards would be made for martyrs' relatives for the same reason [31]. In compliance with the Law on the Affairs and Protection of Mass Graves, No. (13) In 2015, shrines and cemeteries for mass graves were being built [32]. A museum including all the records and possessions of political prisoners and Halabja victims who escaped to Iran is to be constructed, according to the first modification to the legislation on the institution of political prisoners, No. 35 of 2013. Additionally, a Freedom Badge identification card will be provided to them [33].

A person whose family members were slain in the act of Genocide against the Kurdish people is considered a Genocide survivor in the Kurdistan Region of Iraq, as per the Law on the Rights and Privileges of Genocide Victims, No. 9 of 2015 [34]. They will get a unique medal and identification card [35].

Consent compensation:

The national laws of the Kurdistan Region and Iraq outline several factors that might be taken into account when determining how much compensation should be given to the victims' relatives, including:

Examining the curriculum on the crimes of the Ba'ath Party: To be studied at all educational levels, the Ministries of Science, Higher Education, and Education are required to create a curriculum named "Crimes of the Ba'ath Party."

It is also required of all ministries, divisions, and organisations to highlight the atrocities committed by the Ba'ath dictatorship during celebrations and activities [36].

2. Punishment for contempt towards Genocide martyrs: As per the Martyrs Institution Law, No. (2) of 2016, [37] individuals who disparage the dignity and status of Genocide martyrs or refute their selfless acts will face consequences in line with the amended provisions of the Iraqi Penal Code, No. (111) of 1969 [38].

3. Penalties for contesting the crime of mass graves: As per the legislation safeguarding mass graves, an individual who contests the crime of mass graves faces imprisonment, loss of executive privileges, and ineligibility to run in any elections [39].

We may conclude that the four aforementioned principles are crucial steps in ensuring that the horrors of Genocide live on in people's hearts and thoughts and that those who disregard or deny the crimes of Genocide and the families of those who perished in it face consequences.

4- Provincialization of Halabja: The Halabja district was created as a province by Kurdistan Parliament Decision No. (11) of 1999 and the establishment of an administration and council was voted upon by Halabja Provincial Administration Law, No. (1) of 2015 [40].

During its 54th session on December 31, 2013, the Iraqi Council of Ministers adopted the draft law for the provincialization of Halabja. The ordinance was enacted for the public good, humanitarian purposes, economic gain, consideration of the city's victims, the destruction of property, people, and the environment as a result of the bombing on March 3, 1988, and to uphold the city's standing internationally. The legislation is enacted as a consequence of his victims.

Secondly, monetary recompense The Iraqi Republic's 2005 Constitution states that the state keeps legal tabs on the relatives of political prisoners, martyrs, and victims of the horrors committed by the defunct totalitarian system [41]. The following are some examples of the several ways that Iraqi national laws provide material and monetary reparations for Genocide:

1. Payment of compensation to the relatives of victims of Genocide by means of legal litigation against the accused [42]. In compliance with the Principles of Criminal Procedure Act, No. 23 of 1971, as amended, and related laws, such as the Civil Code No. 40 of 1951, as amended, the law of the Iraqi High Criminal Court grants the right to the families of victims of Genocide and crimes specified in this law to file civil lawsuits against the accused. But in addition to the fact that the majority of the old regime's important leaders were either killed or passed away, the civil law lacks the clauses and processes that are suited for dealing with serious reparation issues like Genocide.

3. Reward packages and benefits for political prisoners and their relatives:

A variety of rights and advantages are outlined for political prisoners and detainees for their resistance to the overthrown dictatorship, including the victims of Halabja, under the first modification to the Political Prisoners Institution Law, No. 35

of 2013 [43]. In the case of their passing, their spouses, first-degree relatives, and heirs will all have these rights and advantages [44].

A monthly income.

b) A house in the birthplace, a plot of land, or the financial equivalent of those items.

d) Postsecondary education both inside and outside of Iraq.

b) Paying for after-hours and private schooling.

h) Exemption from average service requirements and age restrictions for enrolment in public schools, both within and outside of Iraq, as well as for elementary and higher education.

D. A five percent employment priority in all federal departments.

g) The cost of medical care, both inside and outside of Iraq.

r) Paying political prisoners and detainees' flights once a year.

(c) Paying back bank loans for homes, businesses, and agriculture [45].

3. Remuneration and benefits for martyrs' families:

The legislation on the Martyrs Institute, No. 2 of 2016, which grants certain rights and benefits to the families of martyrs defined as any Iraqi citizen who died in opposition to the demolished Ba'athist dictatorship because of the regime's direct actions, incarceration and torture, crimes against humanity, Genocide, chemical weapons, forced relocation, physical cleansing, and the disappearance of individuals in mass graves [46].

The following are often among the rights and advantages that the martyr's relatives father, mother, husband, sister, brother, son, and daughter are entitled to under the law:

a) Pensions.

b) The house, land, or financial worth of the property.

b) Moving the martyr's relative, who works as an employee, to the ministry of his choosing.

d) Setting aside 15% of job positions for martyrs' families and exempting them from requirements beyond the working age.

a) Covering the cost of transportation by car, train, and air for medical and educational purposes.

f) In addition to the prescribed curriculum, allocating 10% of elementary and higher education seats to the families of martyrs.

j) Paying tuition at private schools and colleges.

b) Giving the families of martyrs a portion of the yearly Hajj seats.

c) Raising the retirement age from 60 to 68 for workers related to the families of the martyrs.

c) Giving overseas medical care priority when shipping patients.

The Law on the Rights and Privileges of the Families of Martyrs and Anfal Victims, No. 9 of 2007, [47], states that the following rights and privileges are accorded to the families of martyrs in the Kurdistan Region: spouse, son, daughter, mother, father, brother, sister, etc.

a) A residence or a plot of land for habitation.

- b) The marriage allowance.
- (c) Costs associated with education.
- d) The placement of courses for higher education outside the area.
- f) Free medical screening and care [48].

5. Benefits and compensation for victims who suffered from deformities, chronic diseases, or the loss of a portion of their bodies:

As to Law No. 5 of 2009, which was revised, victims who have lost a portion of their body due to the activities of the defunct government are entitled to compensation ranging from (1000000) ten million dinars to (15000000) fifteen million dinars. Because they disagreed with the Ba'athist regime's policies, they suffered from chronic illness, disabilities, or physical impairments. They also received first dibs on jobs or the right to return to work, a plot of property or its market worth, and medical treatment both within and outside of Iraq. in basic and secondary school, as well as giving single people preference when applying for marriage financing [49]. Accordingly, anybody who had long-term respiratory and ocular conditions, or any other effects of chemical weapons during the Genocide at Halabja, shall be eligible for the aforementioned rights and benefits.

5. Compensation for Damaged Property: The value of citizens' movable and immovable property that has been seized, destroyed, rendered disabled, or confiscated for political reasons ethnic or religious is determined by the Law on Compensation for Damaged Property by the Destroyed Regime, No. 16 of 2010 [50]. The amount of compensation is determined using the estimated gold value in Iraqi dinars at the time of the loss [51]. It is worth mentioning that environmental compensation is ignored in the relevant national laws of Iraq. Compensation for farms, agricultural, industrial, religious, and service institutions. According to UN Security Council Resolution 687 in 1991, Iraq was required to compensate for all losses. Environmental damage and destruction of natural resources and significant personalities of Kuwait [21].

The relatives of those who perished in the Halabja Genocide and other Genocides in the Kurdistan Region have not received any compensation from the Iraqi Federal Government, in violation of the aforementioned constitutional and legal restrictions. No. 5 of 2013[52], gives the Kurdistan Region the right to receive a portion of the oil and gas earnings from the Iraqi government as payment for the harm the former regime's acts caused [53]. The victims of the Genocide crimes committed by the previous Kurdistan state have not received any compensation, with the exception of some rights and benefits granted to the relatives of the victims.

In addition to several individual rights and privileges for the families of Genocide victims, the Kurdistan Regional Government did not export oil outside of Iraq despite being required by law to do so for several years until the Paris Court of Arbitration's decision on March 25, 2023, suspending the export. The accountability for reparations for Genocide has so vanished between the governments of Iraq and Kurdistan.

Appointing Abe

The court explicitly mentioned in the sentence the significant psychological effects of Abe's murder on those who saw the atrocity, which is why a social centre has been named in his honour. This applied not just to the individuals he knew, but also to the clergy and general public. One witness remembered how the murder of Abe affected the locals. It honours a significant loss that many individuals of many races have experienced.

It is crucial to remember that if the financial crisis is used as an excuse for not providing compensation, the present Iraqi government, acting as the country's successor, will also need to take part in other non-financial types of compensation, such as consent measures.

For this reason, the Court of Appeal rules that the offender may only partake in symbolic and non-monetary compensation with his or her consent and that the offender genuinely hopes that the victims will forgive him, accept his or her apology, and vow that they will never offend him or her again.

The quantum of damages and the lawful method of obtaining them.

Challenges and opportunity

Under both international and Iraqi law, the Halabja Genocide—which was a component of the larger Anfal campaign by the Saddam Hussein regime—remains a serious historical and legal matter with substantial ramifications for justice and reparations. The prospects and difficulties of researching recompense for victims of this crime are discussed below.

Challenges

1. The complexity of the law

International Law: In order to establish culpability for genocide, one must satisfy stringent requirements set down by international law, such as demonstrating the purpose to exterminate a certain group. This entails relying on customary international law norms and laws such as the 1948 Genocide Convention in relation to the Halabja Genocide. Converting these commitments into legally binding demands for payment presents difficulties.

Iraqi legislation: Historically, there have been no strong procedures in Iraq's domestic legal system for compensating victims of mass crimes. Although certain concerns have been resolved by post-2003 legislative changes, there are still differences in how compensation schemes are implemented.

2. Absence of precedents

Large-scale compensations directly linked to genocide allegations have few historical examples, which makes it difficult to establish uniform procedures for determining damages or identifying qualified recipients.

3. Records and Proof

It is still difficult to gather trustworthy proof, witness accounts, and government documents to support allegations decades after the assaults. A large number of Saddam's government records have been destroyed or lost.

4. Institutional and Political Difficulties

Attempts to get compensation are sometimes complicated by more general political factors, such as the unsteady political climate in Iraq, lingering ethnic conflicts, and opposition to Kurdish calls for justice.

The equitable distribution of compensation may be hampered by corruption in Iraqi institutions.

5. Identification and Inclusion of Victims

There are logistical and legal challenges when deciding who is considered a victim—direct survivors, descendants, or whole communities.

Many victims are not officially recognised, particularly if they have moved or have no records that connect them to Halabja.

6. Limitations on Resources

Iraq's economic difficulties make it difficult for the government to adequately compensate victims. Even while they are helpful, international mechanisms sometimes only make little financial contributions.

Opportunity

1. Mechanisms and Frameworks for International Law

Courts of Human Rights: It may be possible for victims to file claims with regional or global human rights organisations, such as the UN or the European Court of Human Rights (if admissible).

Mechanisms for Transitional Justice: Iraq's efforts at transitional justice, such as the Iraqi High Tribunal, provide some institutional structures for dealing with these kinds of allegations. With international assistance, they may be enlarged.

2. Similar Case Precedents

Designing compensation plans for Halabja victims might benefit greatly from lessons learnt from examples such as reparations for Holocaust survivors, compensation for survivors of the Rwandan genocide, and reparations for victims of South Africa's apartheid.

3. Global Solidarity and Advocacy

Governments, NGOs, and international organisations may be pressured to support reparation attempts by increased awareness and lobbying on the global scene. Lobbying for UN-mandated cash or donations from foreign donors, for example, might support Iraqi governmental initiatives.

4. Developments in Technology

Rebuilding evidence of genocide and identifying victims may be aided by developments in digital preservation and forensic science. This may bolster allegations and provide a more precise foundation for payment.

5. Regional Legal Advancements

After 2003, Iraqi Kurdistan established its own legal and governance frameworks, which might provide a different way to compensate Halabja victims via regional programs and Kurdish-specific money.

6. Possibility of Social Peacemaking

Frameworks for compensation may serve as a means of healing and reconciliation. A fair and open compensation plan might improve the Kurdish population's confidence in the central Iraqi government.

7. Global Assistance

The international community might provide financial support, technical assistance, and supervision to assist Iraq in creating efficient compensation systems. Partnerships with institutions such as the World Bank or the UNDP may fall under this category.

Suggestions for Additional Research

Analysis by Comparison: Examine other post-genocide societies' compensation schemes and modify them for the Kurdish and Iraqi settings.

Harmonisation of the Law: To provide a logical framework for reparations relating to genocide, look for methods to harmonise Iraqi and international legislation.

Victim-Centered Methods: Give priority to qualitative research on victim preferences and needs in order to create compensation systems that are sensitive to cultural differences.

Economic Feasibility Studies: Evaluate Iraq's ability to pay for compensation plans and look at foreign financing sources.

It is feasible to establish a strong framework for Halabja Genocide compensation within both international and Iraqi legal systems by tackling the issues mentioned and taking use of the opportunity.

FINDING AND RECOMMENDATIONS

Saddam Hussein's dictatorship used chemical weapons against the Kurdish community in Halabja, Iraq, during the Anfal war in 1988, resulting in the Halabja Genocide, which claimed many lives and caused a great deal of misery. Several factors and suggestions must be taken into account while addressing victim compensation within the parameters of both international and Iraqi law:

Results 1. International Legal Perspective Genocide Classification: According to the 1948 Genocide Convention, the assault is generally acknowledged as a genocide and a breach of international humanitarian law.

State Responsibility: Iraq is accountable for the actions of its government under international law. Victims of transgressions of international standards, such as crimes against humanity and genocide, must get compensation from states.

Responsibility to Make Reparations: Restitution, recompense, and satisfaction are highlighted as remedies for internationally wrongdoing in the Articles on State Responsibility of the International Law Commission.

Enforcement Challenges: In order to hold Iraq responsible, international mechanisms—such as allegations made before the International Criminal Court (ICC) or the International Court of Justice (ICJ)—face jurisdictional and enforcement obstacles.

2. Iraqi Legal Perspective Genocide Recognition: The Halabja incident was formally acknowledged as genocide by Iraqi administrations after 2003. Reparations legislation, however, has been sluggish and uneven.

Iraqi law recognises the right of victims to compensation for those who have been harmed by military and political conflicts. However, budgetary limitations and political unpredictability impede practical execution.

Institutional Mechanisms: The breadth and efficacy of compensation commissions or funds have been restricted, and victims often encounter administrative roadblocks.

3. Challenges Focused on Victims

Economic relocation: Because of health problems, relocation, and the death of breadwinners, survivors and victims' families often experience financial difficulties.

Absence of Complete assistance: Survivors' suffering is made worse by a lack of access to quality medical treatment and psychological assistance.

Access to Justice: A large number of survivors are unaware of their legal rights and options.

Recommendation

- i. The following are the study's most significant findings:
Variations in particular legislation about reparations for Genocide.
- ii. The victim and victim's family notions are not introduced straightforwardly.
- iii. The imprecision of the word "state" in referring to the entity in charge of providing compensation to the victims of the Ba'athist regime
It was demolished because, by the constitution, the Kurdistan Regional Government, the federal government, and the unorganised provinces within a region make up the federal structure of the Iraqi government.
- iv. Ignoring the harm that results from uprooting people from their homes and neighbourhoods, as well as the money they would have made from other forms of income or from methods of subsistence like farming or raising animals, had they stayed there.
- v. Failure to provide symbolic reparations, such as a public apology from the government.
- vi. Disregard for payment to social, religious, and service organisations.
- vii. Having trouble getting money back from those who attacked Halabja with chemicals
Absence of a suitable and particular statute for this aim.
- viii. Shrinking the High Criminal Court of Iraq.
- ix. Iraq is now experiencing crises and financial difficulties.
- x. The complex relationship between the federal government and the Kurdistan Regional Government, as well as political and ethnic turmoil.

Suggestions

The following are the guidelines that we believe are most crucial:

1. Fortifying Legal Structures

- I. Domestic Law: Iraq should pass extensive legislation to offer monetary compensation, rehabilitation, and assurances of non-recurrence for victims of genocide.
- II. Reopening the Iraqi High Criminal Court to hear cases and administer justice all those who have committed acts of Genocide and participated in them.

III. Describe and provide definitions of the terms "victims" and "family of Genocide victims."

IV. Determine which governmental entity is in charge of paying reparations for Genocide and set aside the required amount of money in the budget for it.

V. The incorporation of all forms of compensation into a single statute.

International Treaties: Iraq should make a greater effort to comply with international human rights treaties and transitional justice procedures

2. Remuneration Systems

The National Compensation Fund's creation: Establish a dedicated fund to provide survivors and their families financial help, backed by both foreign donations and governmental resources.

Restitution of Property and Livelihoods: Put policies in place to give victims back the houses, land, and incomes they were deprived of during the genocide.

3. Psychological Support and Rehabilitation

Healthcare Services: Create medical facilities with a focus on trauma rehabilitation and chemical weapon damage.

Mental Health Support: To treat long-term psychological effects, provide community support programs and counselling.

4. Records and Knowledge

Victim identification: To guarantee accurate victim identification and appropriate compensation, create an extensive database of victims.

Public Education: To reaffirm the need for justice and restitution, raise awareness of the Halabja Genocide both nationally and globally.

5. Global Assistance and Lobbying

International Organisation Involvement: Work with the UN, non-governmental organisations, and other organisations to provide financial and technical support for compensation initiatives.

Support global efforts to bring those responsible for the genocide to justice in order to ensure responsibility and deterrent.

6. Mechanisms of Long-Term Justice

Create a forum for victims to share their stories via the Truth and Reconciliation Commission in order to promote healing and rapprochement within society.

Promises of Non-Recurrence: Address the structural problems that allowed the genocide to occur and strengthen the rule of law.

7. A multifaceted strategy that combines local legislative initiatives with international legal standards is needed to provide compensation for the victims of the Halabja Genocide. Despite ongoing difficulties, addressing past wrongs and guaranteeing responsibility need the implementation of a strong framework for justice, rehabilitation, and reparations.

CONCLUSION

One of the most egregious violations of human rights and international law is the Halabja Genocide, a tragic event that occurred in 1988 and subjected thousands of innocent civilians to chemical attacks. Addressing the compensation for its victims is crucial for ensuring justice and acknowledging their suffering.

In addition to introducing the victims of genocide and their families, the research also encompassed strategies for compensating them. The focus was on understanding the procedures and legal tenets of international and national laws related to genocide in Iraq. International law provides a framework for addressing mass atrocities, including genocide, and states must recognise, compensate for, and rehabilitate victims.

The Iraqi High Criminal Court acknowledged the genocide, but the victims' families did not receive this honour due to legal and financial challenges, as well as the inability to enforce the law.

Because of the Iraqi legal system faces challenges in translating recognition into tangible reparations, including legislative gaps, inadequate judicial remedies, and economic and institutional Action recommendations include strengthening domestic legal frameworks, collaborating with international bodies, prioritising monetary reparations, and enhancing awareness and documentation efforts. Justice for the victims of the Halabja Genocide requires a comprehensive approach that integrates both international and domestic legal principles. Compensation is a financial remedy and a vital step toward healing, reconciliation, and preventing future atrocities.

REFERENCES

- Bassem Ziarat Jabbar, Y.K.R. Religious Tolerance and its Role in Restraining Violent Ideologies Leading to Genocide (Kurds, Shiites, and Yazidis as an Example). *Journal of the University of Dohuk/Iraq, Humanities and Social Sciences* **2021**, 24, 181.
- Suleiman, T. "Kurdish Genocide and Anfal Criminal" in Kurdish title: *Genocidy Kurd w Tawana Anfal*, 1 ed.; Hamdi: Sulaymanyah, 2016.
- RTFV, *supra*, regulation 46.
- Barthe, C. Otto Triffterer and Kai Ambos (eds), *The Rome Statute of the International Criminal Court: A Commentary*. **2018**.
- Kirmanj, S.; Rafaat, A. The Kurdish genocide in Iraq: the security-Anfal and the identity-Anfal. *National Identities* **2021**, 23, 163-183.
- United Nations Human Rights Committee. *CCPR General Comment number 16, article 17 (Right to Privacy)*, adopted at the thirty-second Session of the human rights committee; April 8, 1988; p. 5.
- others, G.F.a. *international peer-reviewed collective book, International Criminal Justice*, 1st ed.; Arab Democratic Center; Berlin: Germany, 2020; Volume 1st.
- RPE, *supra*, rule 85.
- Kok, E.; Scott, L. ICC (Situation in the Democratic Republic of the Congo, in the case of the Prosecutor v. Thomas Lubanga Dyilo: decision concerning the prosecution proposed summary evidence: no. ICC-01/04-01/06). *Annotated Leading Cases of International Criminal Tribunals* **2010**, 23., P.197,107.
- ICC, case of the prosecutor v. Thomas Lubanga Dyilo, public Decision establishing the principles and procedures to be applied to reparations, *supra*, P. 194.
- Law of the Iraqi High Criminal Court, No. (10) of 2005, as amended, published in the Official Gazette (Waqi'i Iraq) No. (4006) on (18/10/2005). (In Arabic).

- Article 11 of the Iraqi High Criminal Court Law, No. 10 of 2005, as amended. (In Arabic).
- ICC, trial chamber II, situation in the Democratic Republic of the Congo, in the case of the prosecutor v. Germain Katanga, public document order for reparations pursuant to article 75 of the Statute, case no.: ICC-01/04-01/07, on March 24, 2017, p. 279.
- ICC, case of the prosecutor v. Germain Katanga, public document order for reparations pursuant to article 75 of the Statute, supra, para 280.
- RSICC, supra, Article 75 (1).
- ICC, case of the prosecutor v. Bosco Ntaganda, reparations order, supra, para 207, 208, 79, 200.
- ICC, trial chamber VIII, the situation in the Republic of Mali, in the case of the prosecutor v. Ahmad Al Faqi Al Mahdi, reparations order, case no.: ICC-01/12-01/15, on August 17, 2017, p. 48.
- ICC, case of the prosecutor v. Bosco Ntaganda, reparations order, supra, pp. 83, 201, 203, 204, 88, 207.
- ICC, case of the prosecutor v. Ahmad Al Faqi Al Mahdi, reparations order, supra, p. 47, 48.
- Abe Bwanalunga: A well-known priest in Ituri who served as a priest for 40 years, see ICC, case of the prosecutor v. Bosco Ntaganda, reparations order, supra, p. 179.
- Jalal Karim Al-Jaf, Compensation for victims of Genocide crimes (Anfal and Halabja) according to the rules of public international law, Journal of Legal and Political Studies, College of Law and Politics, Sulaymaniyah University, first year, second issue, December 2013, p. 65. (In Arabic).
- Official Gazette (Waqi'i Iraq), No. (4227) on (23/1/2012). (In Arabic).
- Article (134) of the Constitution of the Republic of Iraq. (In Arabic).
- Official Gazette (Waqi'i Iraq), No. (4420) on (17/10/2016).
- Article (4) of the Law on the Prohibition of the Ba'ath Party, Entities, Parties and Racist, Terrorist and Takfiri Activities, No. (32), 2016.
- Articles (8, 9) of the Law on the Prohibition of the Ba'ath Party, Racist, Terrorist and Takfiri Entities, Parties and Activities, No. (32), 2016. (In Arabic).
- Official Gazette (Waqi'i Iraq) No. (4376) on (8/6/2015). (In Arabic).
- Articles (5, 6) of the Law on the Affairs and Protection of Mass Graves, No. (13), 2015. (In Kurdish).
- Official Gazette (Waqi'i Iraq), No. (4116) on (4/6/2009). (In Arabic).
- Article (2/5) of the Law on Compensation of Victims who have lost part of their bodies as a result of the actions of the destroyed regime, No. (5) of 2009, as amended.
- Article (17/1) of the Martyrs Institution Law, No. (2) 2016
- Article (6/6) of the Law on the Affairs and Protection of Mass Graves, No. (13) 2015. (In Kurdish).
- Article (9/9, 10) of the First Amendment to the Law on the Institution of Political Prisoners, No. (35), 2013.
- Official Newspaper (Kurdistan Reality), No. (190) on 20/7/2015. (In Kurdish).
- Article (2/3) of the Law on the Rights and Privileges of Genocide Individuals, No. (9), 2015.

Article (17/ Fourteenth, Fifteenth) of the Martyrs Institution Law, No. (2),2016.

Official Gazette (Waqi'i Iraq) No. (4395) on (25/1/2016). (In Arabic).

Article (17/2) of the Martyrs Institution Law, No. (2) of 2016.

Article (8/3) of the First Amendment to the Law on the Institution of Political Prisoners, No. (13),2015.

Official Newspaper (Kurdistan Reality), No. (190) (20/7/2015). (In Kurdish).

Article (132) of the Constitution of the Republic of Iraq,2005. (In Arabic).

Article (22) of the Iraqi High Criminal Court Law, No. (10) of 2005, as amended. (In Arabic).

Official Gazette of Iraq, No. (4294) on (21/10/2013).

According to Article 5(2) of the Political Prisoners Institution Law, No. 4 of 2006, as amended, all the rights and privileges mentioned in the law apply to the victims of Halabja who were refugees in Iran were due to chemical weapons bombing by the regime The Ba'athists were destroyed.

Article (9) First Amendment to the Law on the Institution of Political Prisoners, No. (35) of 2013.

Article (1/1/a) of the Martyrs Institution Law, No. (20),2016. (In Arabic).

Official Newspaper (Waqi'i Kurdistan), No. (67) on (1/7/2007). (In Kurdish)

Article (7) of the Law on Rights and Privileges of Relatives of Martyrs and Anfal Victims, No. (9) of 2007. (In Kurdish).

Articles (2, 3) of the Law on Compensation for Victims who have lost part of their bodies as a result of the actions of the destroyed regime, No. (5), 2009. (In Kurdish).

Official Gazette of Iraq, No. (4148) on (15/3/2010). (In Kurdish)

Articles (1, 2) of the Law on Compensation for Property Damaged by the Destroyed Regime, No. (16) of 2010. (In Kurdish).

Official Newspaper (Kurdistan Reality), No. (162) on (9/5/2013). (In Kurdish).

Articles (6/2) of the Law on Determination and Receipt of Financial Consequences of the Kurdistan Region from Federal Revenues, No. (5) of 2013. (In Kurdish)