

Republic of Iraq and the Government of Ezidikhan Intergovernmental Accord

Preambular paragraphs:

The parties to the Memorandum of Understanding are:

The Republic of Iraq

Baghdad, Iraq

and

Ezidikhan

Lalish, Ezidikhan.



Preamble:

The Republic of Iraq and the Nation of Ezidikhan, hereinafter referred to as "the Parties",

Reaffirming their commitment to the principles of the United Nations Charter, the Universal Declaration of Human Rights, and the United Nations Declaration on the Rights of Indigenous Peoples,

Emphasizing the profound significance of the historical, cultural, religious, and linguistic diversity inherent in the populations of Iraq and Ezidikhan, and resolutely honoring their inalienable rights to self-determination, self-governance, and the safeguarding of their autonomy,

Recognizing Ezidikhan have the right to autonomy in certain areas of governance, including but not limited to organizational, cultural, educational, and religious affairs. The autonomous government of Ezidikhan shall work with the Yezidi people to establish mechanisms for the exercise of this right, taking into account the unique needs and concerns of the Assyrian people.

Acknowledging the grievous suffering and enduring trauma inflicted upon the Yezidi and various other indigenous communities within Ezidikhan by extremist entities such as the Islamic State and other armed factions, recognizing the urgent necessity for impartial justice, holistic healing processes, and genuine reconciliation,

Recognizing the imperative to establish a robust and harmonious political relationship that goes beyond conventional diplomacy, promoting unity, prosperity, and security for both the Republic of Iraq and the Nation of Ezidikhan, while also firmly endorsing peaceful coexistence, non-interference in internal matters, and prioritizing bilateral cooperation on shared interests.

Building upon the foundational framework established through the Memorandum of Understanding that the Parties, with mutual respect, entered into agreement, which serves as a guiding instrument for collaborative endeavors and ongoing negotiations,

Have, in pursuit of these aspirations, and guided by the precepts of international law, affirm the Nation of Ezidikhan as a Freely Associated Nation in relation to the Republic of Iraq hereby solemnly establishes the following comprehensive Intergovernmental Accord:

Article 1: Political Status of Ezidikhan

1. The Republic of Iraq recognizes Ezidikhan as a self-governing and freely associated nation within the Iraqi federal system of governments, with its own constitution, government, laws, and courts legal codes, and courts. This embodies Ezidikhan's power to enact criminal, civil, and administrative laws, and to exercise the corresponding jurisdiction, separately and independently from the Iraqi legal system. The Republic of Iraq also recognizes Ezidikhan Nation's traditional laws and governing practices, including but not limited to the following:

- a. The Yezidi society is organized into religious castes, with Sheikhs and Pirs at the top. These religious leaders often mediate local disputes and can be seen as the moral authority in their communities.
 - b. Traditional Councils: When conflicts arise within the community, they might be brought before a council of elders or a group of respected individuals who would arbitrate and offer solutions.
- Restorative Justice: The Yezidi justice approach often emphasizes reconciliation and the restoration of social harmony rather than



the NICT's investigative processes, prosecutions, judgments, reparations, and advisory directives that pertain to criminal acts perpetrated against the Yezidi population and other indigenous communities within Ezidikhan. These offenses may include those carried out by entities such as the Islamic State or any other accountable parties. This collaboration is underpinned by their unwavering adherence to international legal norms and principles, with the shared objective of ensuring accountability, justice, redress for the victims, the imperatives of truth, and reconciliation.

5. The Parties commit to a dynamic partnership aimed at raising funding for NICT from diverse origins including but not limited to other states, nations and private organizations and individuals, thereby emphasizing their joint goal of fortifying the NICT's ability to operate independently and impartially, address severe offenses, and proficiently fulfill its responsibilities under international law, thereby reinforcing the rule of law and the protection of human rights.

Article 3: Sinjar Cement Plant

1. In acknowledgment of the Sinjar Cement Plant's historical significance and restorative justice needs, the Republic of Iraq undertakes the transfer of both ownership and administrative control of the Sinjar Cement Plant, situated along Road 47, to the Nation of Ezidikhan. This transfer stands as a tangible manifestation of goodwill and a reparative gesture, recognizing the gravity of past injustices and the need for comprehensive and equitable redress.

Ezidikhan, as the recipient, commits to using the Sinjar Cement Plant for socio-economic growth, community empowerment, and self-reliance. The Plant will be operated in accordance with sustainable practices, environmental safeguards, and international labor standards, fostering economic vitality.

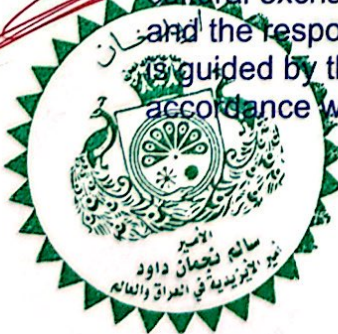
This transfer of ownership and administrative control is executed in accordance with the relevant legal norms, international agreements, and principles of sovereign equality between the Republic of Iraq and the Nation of Ezidikhan.



2. The Republic of Iraq, in alignment with the Nation of Ezidikhan's objectives for the Sinjar Cement Plant's revitalization, commits to fostering a cooperative partnership aimed at attracting investors from Europe, Australia, and other interested international entities. This collaboration

punishment. This can involve various forms of compensation or acts of atonement.

- d. Religious Guidelines: The Yezidis have their own religious texts and oral traditions. These can provide guidance on moral behavior and influence decisions related to justice.
 - e. Excommunication: Historically, one of the gravest punishments in Yezidi communities was excommunication. This means being cut off from the religious and social life of the community, which could be devastating given the close-knit nature of Yezidi society.
 - f. Role of Family and Clan: Disputes might be resolved within the extended family or clan context. The family's honor and standing in the community play a crucial role, and often families would try to resolve disputes internally before they become public.
 - g. Ezidikhan Governing Council is constituted as the central government of Ezidikhan.
 - h. For a better organization and promotion of self-government, application of laws, and decision-making implementation, the Nation of Ezidikhan is entitled to adopt domestic legislation and procedures for the appointment of judges and prosecutors and to determine the requirements for selecting and designating attorneys and advocates to be admitted to practice law before Yezidi courts.
 - i. Ezidikhan shall include a legal code describing a tribal court that addresses domestic concerns, but it shall not or judge international crimes or crimes identified by the Nations International Criminal Tribunal as defined herein.
2. The Nation of Ezidikhan recognizes the Republic of Iraq as a sovereign state with its own constitution, government, laws, and courts.
 3. The Parties affirm their commitment to upholding the territorial integrity and political independence of one another, pledging to refrain from any form of interference in the internal affairs of the other, in accordance with the principles of non-interference and mutual respect for sovereignty enshrined in international law.
 4. The Parties undertake a sincere commitment to collaboration on subjects of shared interest and significance, including but not limited to security, defense, foreign relations, trade, sustainable development, human rights, cultural exchange, education, public health, environmental preservation, and the responsible management of natural resources. This collaboration is guided by the principles of equality, reciprocity, and mutual benefit, in accordance with prevailing international norms and conventions.



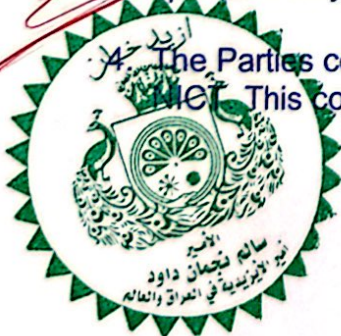
5. The Parties agree to establish comprehensive mechanisms for consultation, coordination, and the peaceful resolution of disputes across multiple tiers of governance, including the establishment of collaborative joint committees, councils, or commissions. These mechanisms function as effective channels for transparent dialogue, collective decision-making, and harmonious conflict resolution. Aligned with the principles of cooperation, mutual understanding, and adherence to globally recognized norms for conflict resolution and diplomatic interaction, these mechanisms also encompass the oversight of matters of shared significance between Ezidikhan and Iraq, including the right of return and citizenship.

Ezidikhan shall provide details of the routes of transport used by Ezidikhan to lands claimed by Syria and Turkey ... Iraq will support Ezidikhan claims to lands that are historically claimed by Iraq.

6. The Parties mutually commit to honoring each other's representation in regional and international organizations and forums, pledging to provide appropriate support for one another's interests and stances whenever deemed suitable and beneficial.

Article 2: Nations' International Criminal Tribunal

1. The Parties agree to support the establishment of the Nations' International Criminal Tribunal (NICT) as a mechanism to address and deter genocidal acts and other serious crimes committed against indigenous nations of the world.
2. The Parties agree to join the NICT International Commission of Parties (NICP) as founding members and to work together to obtain the participation of at least nine other states' governments and nine other indigenous nations in the NICP, adding to the total membership of 250 nation and 25 state ratifying parties and recognizing that according to the NICT Charter nations and states may lend their political support and thereby sit in the International Commission of Parties as observers.
3. The Parties commit to promptly ratifying the NICT Charter after its adoption by the Nations International Commission of Parties (NICP) and to abide by its provisions, obligations, principles, and duties. *The NICT shall not be convened in Iraq, but in Ezidikhan ancestral territory only. NICT shall operate freely within Ezidikhan.*



4. The Parties commit to an active and constructive collaboration with the NICT. This cooperation encompasses providing comprehensive support for

seeks to mobilize financial resources, technical expertise, and innovative practices to restore, effectively manage, and sustainably operate the Sinjar Cement Plant, reinvigorating it as a model of economic resurgence and international cooperation.

The collaboration with investors adheres to transparent practices, following global investment standards. A joint framework, which will be designed by both Parties, ensures community participation, upholds corporate social responsibility, and advances Ezidikhan's socio-economic progress. It nurtures economic bonds with Europe, Australia, and the international community.

3. The Republic of Iraq undertakes to provide substantial aid and assistance to the Nation of Ezidikhan. This aid is intended to secure a one-year salary or wages for all employees of the Plant subsequent to its restoration, acknowledging their dedication and safeguarding their livelihoods during this critical transitional phase.

This aid promotes equitable transition and resilience, underpinning both Parties' joint responsibility for the Plant employees and operational continuity.

Both Parties collaborate closely to ensure transparent, inclusive, and accountable aid distribution, aligning with their commitment to employee welfare and Plant integrity.

4. The Nation of Ezidikhan affirms its commitment to prioritize the employment of individuals hailing from Ezidikhan at the Sinjar Cement Plant by enacting in a manner that upholds fairness, transparency, and non-discrimination principles. This pledge underscores the Nation's determination to provide its own people with opportunities for meaningful and sustainable employment, thereby contributing to the enhancement of local livelihoods, the overall well-being of the community, and fostering a sense of ownership, belonging, and progress among the local population.
5. The Nation of Ezidikhan affirms its commitment to engage in a profit-sharing arrangement with the Republic of Iraq. This arrangement entails the Nation's pledge to allocate a portion of its profits derived from the sale of cement products to the Republic of Iraq, in accordance with a mutually agreed formula. This cooperative commitment reflects a shared vision of prosperity and equitable benefit-sharing.



The profit-sharing mechanism shall be characterized by a fair, transparent, and mutually acceptable framework, established through collaborative negotiations. Both Parties will establish the proportion and calculation method, aligning with global practices for economic viability.

Article 4: Land and Natural Resources

1. In conformity with established principles of international law, the Parties mutually commit to delineating the political and jurisdictional boundaries of Ezidikhan. This process shall be guided by a comprehensive approach that takes into account historical records, geographical characteristics, customary practices, and the consensus reached between both Parties.

Both Parties recognize the significance of ensuring accuracy, fairness, and mutual respect in this process, thereby upholding the principles of peaceful coexistence, territorial integrity, and sovereign equality.

The Parties commit to adhering to equitable and just principles. This includes recognizing the rights and interests of affected communities, safeguarding the rights of indigenous populations, and ensuring that the boundaries determined contribute to regional stability, socio-economic development, and the overall well-being of both nations.

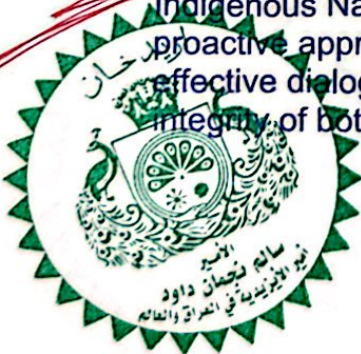
The demarcation respects indigenous rights and heritage, adhering to international norms and the United Nations Declaration on Indigenous Rights [and the International Covenant on the Rights of Indigenous Nations].

Should any disagreements arise during the demarcation process, the Parties agree to resolve such disputes through peaceful means in accordance with international law. This may involve diplomatic negotiations, mediation, or other appropriate mechanisms, aiming to reach a mutually acceptable resolution that upholds the principles of justice and equity.

2. The Parties agree to respect each other's sovereignty over their respective lands and natural resources within their boundaries. This respect for territorial integrity underscores their collaborative adherence to international principles of self-determination, equitable cooperation, and the equitable management of resources.



3. The Nation of Ezidikhan exercises full ownership and control over all surface and subsurface natural resources within its territory, encompassing raw materials such as oil, gas, minerals, water, resource transport facilities such as pipelines, and renewable energy sources. The exercise of this authority aligns with the Nation's commitment to responsible resource governance, environmental sustainability, and the well-being of its citizens, while fully respecting recognized international norms and legal frameworks.
4. In a spirit of cooperation and equitable resource utilization, the Nation of Ezidikhan commits to apportioning a proportion of its revenues arising from oil and gas extraction and sales with the Republic of Iraq, and the Republic of Iraq commits to apportioning a mutually accepted distribution of revenues arising from oil and gas and pipeline facilities under the control of the Iraqi government with the Nation of Ezidikhan. Such allocations, determined by jointly agreed formulae, aiming to reach an annual incremental index to ensure equitable growth, reflecting the commitment to sustainable collaboration, mutual benefits, and recognition of economic interdependence between the two Parties.
5. Recognizing the intrinsic value of responsible resource management, both Parties commit to a comprehensive and cooperative framework for developing, overseeing, and regulating their natural resources. This collaborative effort is underpinned by principles of sustainability, equitable distribution, and environmental conservation, in alignment with recognized international norms and legal frameworks. By pooling their expertise, technical capabilities, and resources, the Parties contribute to the broader goals of regional stability, shared prosperity, and the preservation of their natural heritage for present and future generations.
6. In accordance with principles of respect and mutual understanding, the Parties commit to consultations and seek each other's free, prior, and informed consent before embarking on any activities that could potentially impact the territories, natural resources, or rights of the other Party. This commitment reflects their dedication to harmonious collaboration, safeguarding indigenous rights, and adherence to principles outlined in international agreements such as the United Nations Declaration on the Rights of Indigenous Peoples, the International Covenant on the Rights of Indigenous Nations, and the Convention on Biological Diversity. This proactive approach ensures that any actions undertaken are informed by effective dialogue, inclusivity, and a shared commitment to maintaining the integrity of both territories and their resources.



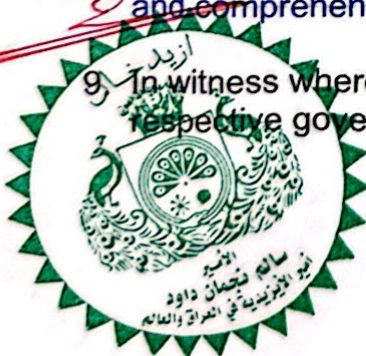
underscores their unwavering dedication to a sincere, cooperative partnership that upholds the tenets of the Accord and contributes to stability and progress.

4. In a demonstration of their commitment to flexibility and cooperation, this Accord may be amended through written mutual agreement of the Parties. This procedure ensures that any modifications reflect their evolving needs, shared goals, and continued adherence to the principles of this Accord and international law.

Parties agree that the present Accord shall be formally signed by official government representatives by or on 5 September 2023 as a demonstration of mutual approval and commitment to the terms of the Accord and shall at mutually agreed dates and times mutually agreed discuss and exchange information to formulate implementation plans for relevant provisions to be fully enacted by or before November 7th 2024.

5. This Accord may be terminated by mutual agreement of the Parties in writing, or by either Party giving one year notice to the other Party in writing.
6. This Accord shall be interpreted in accordance with its object and purpose, while also duly considering the rights and interests of both Parties. This approach reflects the Parties' shared commitment to fostering a balanced and cooperative relationship that upholds the spirit of the Accord and ensures its implementation serves the mutual benefit of all involved.
7. This Accord shall be governed by and construed in accordance with the laws of Iraq and Ezidikhan, in addition to relevant principles of international law. This dual commitment underscores the Parties' dedication to respecting their [respective] legal systems while adhering to established global norms, fostering a harmonious blend of local and international standards that define their cooperative relationship.
8. This Accord Is drafted in English, Arabic, and Ezidiki languages, with all versions holding equal authenticity. This approach underlines the importance of clear communication, mutual understanding, and equitable representation, ensuring that all Parties have access to the same accurate and comprehensive understanding of the Accord's provisions.

9. In witness whereof, the undersigned, being duly authorized by their respective governments, have signed this Accord.



7. Affirming their commitment to enduring cooperation and the peaceful resolution of differences, the Parties mutually pledge to settle any disputes regarding lands or natural resources through nonviolent avenues. These avenues encompass negotiation, mediation, arbitration, or adjudication. This steadfast dedication to diplomatic resolution underscores their shared belief in international norms, conflict prevention, and the primacy of maintaining a harmonious relationship founded on respect, equity, and adherence to established legal frameworks.

Article 5: General Provisions

1. This Accord shall come into effect upon its ratification by the Parties in alignment with their respective customary or constitutional procedures. This signifies their commitment to formalizing their agreement within established legal frameworks and underscores their mutual dedication to upholding recognized norms of international law and diplomatic protocol.
2. Pursuant to transparency and international recognition principles, this Accord shall be registered with the United Nations Secretariat as per Article 102¹ of the United Nations Charter. This further underscores the Parties' adherence to recognized international practices and principles, cementing their commitment to upholding the tenets of this Accord on a global scale.
3. The Parties shall carry out the provisions of this Accord in earnest, guided by the principles of good faith and in harmony with its terms, as well as the universally recognized principles of international law. This commitment

¹ Article 102 of the UN Charter is the article that outlines the obligation of the members of the United Nations to register and publish their treaties and international agreements with the Secretariat. It consists of two paragraphs, which are:

- Paragraph 1: Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.
- Paragraph 2: No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

The purpose of Article 102 is to avoid secret diplomacy by ensuring the transparency and publicity of all treaties and international agreements. It also provides a sanction for non-compliance by denying the legal effect of unregistered treaties or agreements before any UN organ. You can find more information about Article 102 and its implementation on this website.

