# EXECUTIVE SUMMARY OF CALL AND DEMAND FOR AN INTERNATIONAL INVESTIGATION INTO AND PROSECUTION OF GLOBAL TECHNOLOGY AND SOCIAL MEDIA COMPANIES FOR AIDING AND ABETTING ISIS'S ONGOING GENOCIDE AGAINST THE YEZIDI PEOPLE, *et al.*

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**Issued by:**

**NLHY Investigative Team**
**NL Helpt Yezidis (NLHY)**
**www.nlhelptyezidis.org**

## EXECUTIVE SUMMARY

***NLHY's Call and Demand for an International Investigation and Prosecution of Global Social Media and Technology Companies for Aiding and Abetting ISIS's Genocide Against the Yezidis, including the Crimes of Enslavement, Human Trafficking and Sexual and Economic Exploitation, including Cyber Exploitation, of Yezidis, and for the Financing of Terrorism through the Human Trafficking of Yezidis, et al.***

After more than seven years of unaccountability for the 2014 genocide against the Yezidi people by the Islamic State of Iraq and Syria (ISIL/ISIS) during which almost 10,000 Yezidis were killed or kidnapped in a matter of days, this report is being published to make a formal request to all members of the Coalition of the Willing for an investigation into the role of global technology and social media companies in aiding and abetting ISIS's crimes against the Yezidis and others. Approximately 2,900 Yezidis remain missing. The actual number of Yezidis missing, however, is not exactly known and may never be known.

Based on the comprehensive information contained in the full report derived from extensive research, NLHY is asking the Member Governments of the Coalition of the Willing to refer this report to the proper judicial, prosecutorial and investigative authorities within their Governments to undertake further review and action.

Specifically, NLHY is writing to all governmental leaders of the Coalition countries to call for and demand an international criminal and civil law investigation into and the potential prosecution of global technology and social media companies and their boards of directors and executive staff for aiding and abetting ISIS in furtherance of war crimes, crimes against humanity, genocide and other grave human rights violations committed by ISIS militants. These companies enabled these crimes by permitting the social media platforms that they own and fully control to be utilized as fundamental tools of terror used by ISIS to recruit fighters with the promise of slaves as well as to conduct human trafficking of Yezidi women and children and to conduct online slave auctions of Yezidi women and children in contravention of the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the United Nations Convention on the Rights of the Child, the United Nations Convention against Torture, the United

Nations Declaration on the Rights of Indigenous Peoples, the United Nations Convention on Elimination of Discrimination against Women, the United Nations Convention for Protection of all Persons from Enforced Disappearance, and the United Nations Convention against Transnational Organized Crime and the Protocols thereto, among other international treaties and national and subnational laws.

This demand for an investigation is directed at, but not limited to, Facebook, Instagram, WhatsApp, Messenger, Twitter, YouTube, Kik and Telegram. Publicly available information, including a significant amount of scholarly research, exposes overwhelming evidence that these named global technology and social media companies permitted their platforms to be used as tools of terror, allowing ISIS supporters and its members to plot human atrocities and commit war crimes, including genocide, and to facilitate and accelerate the recruiting of jihadi foot soldiers.

**Through its extensive research, NLHY can affirmatively state that:**

1. ISIS used social media platforms such as Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, to spread its propaganda and recruit fighters to fight for its caliphate with the promise of riches and slaves;
2. Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, own and control the technology and servers used by ISIS to spread its propaganda and recruit fighters to fight for its caliphate with the promise of riches and slaves;
3. Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, require all users who open accounts and use their social medium platforms, as well as private communication tools, to adhere to Community Standards that do not permit hate speech or any activity that is in furtherance of committing crimes such as human trafficking;
4. In an effort to achieve global dominance, Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, rely on artificial intelligence and permit users to post in many languages, including languages in which these companies do

not have sufficient language capacity. As such, properly monitoring the content being posted by users was impossible as was enforcing the Community Standards, which are a contract between the users and the companies to adhere to the community rules for using social media platforms;

5. Additionally, because Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, specifically rely on artificial intelligence to push content towards its users, Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger and Telegram's algorithms actually reinforced the dehumanized messaging about Yezidis to other users interested in this type of information;
6. Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, permitted the dehumanizing postings about Yezidis, including about capturing, keeping and trading Yezidi women and children as slaves, which directly helped fuel the Yezidi Genocide committed by ISIS;
7. Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, failed to remove the dehumanizing postings about Yezidis, including about capturing, keeping and trading Yezidi women and children as slaves, which directly helped fuel the Yezidi Genocide committed by ISIS;
8. In direct violation of international laws and treaties as well as national and subnational laws governing the same, Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, permit the human trafficking of Yezidis on their platforms. Human trafficking is a very profitable activity for ISIS, which sold Yezidis repeatedly through in-person and online auctions;
9. The boards of directors and executive management of Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, were informed about ISIS's illegal activities on its platforms and failed to take the necessary steps to stop these illegal activities and crimes against humanity;
10. The boards of directors and executive management of Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, have never been held to account for their roles in aiding and abetting the crimes committed by ISIS through its use of their social media platforms; and

11. Despite there being a mountain of evidence against them, no government, including no member of the Coalition of the Willing countries that invaded Iraq, has ever thoroughly investigated the role that social media companies played in allowing ISIS to recruit foreign fighters and allowing human beings to be trafficked online.

As legal and human rights experts, we call for and demand a thorough and complete investigation into the legal culpability and liability of social media companies that allowed their social media platforms to be openly and efficiently utilized by ISIS as a tool for spreading its propaganda, recruiting ISIS fighters with the promise of riches and slaves, and the human trafficking of Yezidi women and children as war booty.

There has been no investigation of the social media companies' role in aiding and abetting ISIS in its online recruitment of fighters for its caliphate and none have been held to account for the billions of dollars in damages resulting from their inaction, whether criminal or civil.

**Formal Call for an Investigation**

On behalf of the Yezidi victims of ISIS, NLHY:

1. Calls on all countries, including members of the Coalition of the Willing that invaded Iraq, and the international governing legal bodies charged with investigating and punishing genocide and war crimes to investigate and hold accountable to the full extent of the law Facebook, Twitter, Google, YouTube, Messenger, WhatsApp, Kik and Telegram for their roles in aiding and abetting ISIS;

2. Calls for a complete and thorough investigation including the subpoenaing and production of all ISIS-related data collected by Facebook, Twitter, Google, YouTube, Messenger, WhatsApp, Kik and Telegram, among others, in the period beginning in 2006 through the present;

3. Calls for hearings and investigations by international and national legislative and investigative bodies to question under oath the executives, board members and officers of Facebook, Twitter, Google, YouTube, Messenger, WhatsApp, Kik and Telegram, among others, regarding ISIS's use of their platforms;

4. Calls on the corporate executive officers and boards of directors of Facebook, Twitter, Google, YouTube, Messenger, WhatsApp, Kik and Telegram, among others, to be prosecuted to the full extent of the law for criminal and civil acts in furtherance of ISIS's war crimes, genocide and crimes against humanity; and

5. Calls on the corporate executive officers and boards of directors of Facebook, Twitter, Google, YouTube, Messenger, WhatsApp, Kik and Telegram, among others, to compensate for the billions of dollars in war damages caused by the destruction of the Yezidi homeland as a result of the acts of these companies and for the formal establishment of a Yezidi Victims Compensation Fund funded by social media companies.

The cost of rebuilding Iraq has been estimated at $82 billion dollars, and the United States, France, Germany, Sweden and Australia, among others, are bearing the costs of rebuilding Iraq and accepting Yezidis and Christians as asylum seekers, both of which have enormous price tags paid for by the taxpayers of these countries. Germany alone has taken in over 1,100 women enslaved by ISIS and committed over $107 million to bring Yezidi women, and also Christians and Shiite Muslims, to Germany for rehabilitation and the opportunity to start a new life. Part of the bill for the reconstruction of Sinjar has been sent to the Iraqi government, which is in no financial position to pay, and to countries such as the United States, France and Germany, which have already spent hundreds of millions of dollars assisting the Yezidi people. At the same time, social media companies have never been called to account for their role in the rise of ISIS and the damage that they contributed to in Iraq and Syria by allowing ISIS to use their social media platforms to spread terroristic propaganda, extensively recruit fighters online and trade slaves online.

NLHY demands this investigation not just for the benefit of the Yezidi people but for all religious and ethnic minorities who are at the mercy of these powerful global technology companies that fully own, design and control these social media platforms and the content placed on them.

NLHY demands that all Coalition governments, investigative bodies and judicial institutions charged with the responsibility to investigate and prosecute the crimes against the Yezidi people, including those outlined in this letter, fulfill the obligations with which they have been charged and pursue justice for the Yezidi people.

If an appropriate investigation is not conducted, accountability and punishment are not enforced, and constructive international efforts are not made to mitigate these crimes, it is only a matter of time before impunity allows these crimes to happen again.

NLHY remains available to discuss its call on governments, justice departments, prosecutors and investigators and NLHY hopes to provide additional and vital information that will be helpful in starting this indispensable investigation.

**Report Contact:**

Wahhab Hassoo
Founder, Yezidi Human Rights Advocate
NLHY (NL Helpt Yezidis)
Email: contact@nlhelptyezidis.org
www.nlhelptyezidis.org
www.yezidigenocidejusticecampaign.org