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**OFFICIAL HUMAN RIGHTS COMPLAINT
ADDRESSED TO COALITION OF THE WILLING GOVERNMENTS**

RE: *Call for an international criminal and civil law investigation into Facebook, Instagram (owned by Facebook, now named Meta), WhatsApp (owned by Facebook/Meta), Messenger (owned by Facebook/Meta), Twitter, YouTube (owned by Google/Alphabet), Kik and Telegram, among others, and their boards of directors and executive staff for aiding and abetting the Islamic State of Iraq and Syria (ISIL/ISIS) in furtherance of War Crimes, Crimes Against Humanity, Genocide and Human Rights Violations committed by ISIS by permitting social media platforms, which are fully owned and controlled by these global technology and social media companies, to be utilized as fundamental tools of ISIS to raise funds and recruit fighters with the promise of slaves, as well as to conduct the business of human trafficking of Yezidi Women and Children, among other religious and ethnic minorities, 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 Elimination of all Forms of Discrimination against Women, the United Nations Convention on the Rights of the Child, the United Nations Convention against Torture and other Inhuman, Cruel Degrading Treatment or Punishment, the United Nations International Convention for the Protection of All Persons from Enforced Disappearance, the United Nations Declaration on the Rights of Indigenous Peoples, and the United Nations Convention against Transnational Organized Crime and the Protocols thereto as well as other international, national and subnational laws;*

Demand for legal accountability and the prosecution of Facebook, Instagram, WhatsApp, Messenger, Twitter, YouTube, Kik and Telegram, among others, and their boards of directors and executive staff for aiding and abetting the Islamic State of Iraq and Syria (ISIL/ISIS) in furtherance of War Crimes, Crimes Against Humanity, Genocide and Human Rights Violations committed by ISIS by permitting social media platforms, which are fully owned and controlled by these global technology and social media companies, to be utilized as fundamental tools of ISIS to raise funds and recruit fighters with the promise of slaves, as well as to conduct the business of Human Trafficking of Yezidi Women and Children, among other religious and ethnic minorities, 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 Elimination of all Forms of Discrimination

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against Women, the United Nations Convention on the Rights of the Child, the United Nations Convention against Torture and other Inhuman, Cruel Degrading Treatment or Punishment, the United Nations International Convention for the Protection of All Persons from Enforced Disappearance, the United Nations Declaration on the Rights of Indigenous Peoples, and the United Nations Convention against Transnational Organized Crime and the Protocols thereto as well as other international, national and subnational laws; and

Demand for international and domestic legal reform, including the removal of immunity for corporate actors that permit terroristic propaganda and hate speech on their social media platforms, and for the creation of legal and financial accountability and enforcement of laws governing these global technology and social media companies, including Facebook, Instagram, WhatsApp, Messenger, Twitter, YouTube, Kik and Telegram, among others, to prevent the facilitation of future War Crimes, Crimes Against Humanity, Genocide, Human Rights Violations and Human Trafficking.

Dear Government Official:

We are writing to you as legal and human rights experts who are part of Nederland Helpt Yezidis (Netherlands Helps Yezidis) or (NLHY). The NLHY, based in the Netherlands with a pro bono representative in the United States, advocates on behalf of Yazidis, a small but critically important ethnic and religious minority whose ancient homeland is found in the Sinjar Mountain region and the Nineveh Plains of northern Iraq. The NLHY is an independent network of legal and human rights volunteers. NLHY seeks to advance the cause of justice for the Yazidis by demanding that the perpetrators, as well as those who aided and abetted, the genocide be held legally and financially accountable.

Yazidis are one of the most oppressed minorities in the Middle East and, having been relegated to the margins of Iraqi society, largely live as poor farmers and unskilled workers in northern Iraq. As a non-Muslim religion, Yazidis are a specific target of ISIS, which committed an internationally recognized genocide against the Yazidi people starting in 2014 that remains ongoing.

We are writing to you and submitting the enclosed human rights complaint 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 the Islamic State of Iraq and Syria (ISIL/ISIS) in furtherance of war crimes, crimes against humanity, genocide and other grave human rights violations committed by ISIS militants by permitting the social media platforms that they own and fully control to be utilized as fundamental tools of ISIS to recruit fighters with the promise of slaves as well as to conduct human trafficking of Yazidi women and children and to conduct online slave auctions of Yazidi 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 Declaration on the Rights of Indigenous Peoples, and the United Nations Convention against Transnational Organized Crime and the Protocols thereto, among other international treaties and federal and state laws.

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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 a mountain of 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.

The 2014 Genocide displaced more than 400,000 Yezidis, many of whom until this very day live deeply traumatized and are left wondering with unrelenting and suicidal despair about missing family members. Displaced from their homes, farms and communities, these Yezidis are living in dire poverty and have become hopeless in internally displaced persons' camps throughout northern Iraq.

ISIS's 2014 genocide against the Yazidi people is uncontroverted and, most recently, formally confirmed by officials at the United Nations (UN). On May 10, 2021, the former Special Advisor and head of a UN team investigating the atrocities by the Islamic State of Iraq and the Levant (ISIL), Karim Khan, reported to the United Nations Security Council that the investigators have established "clear and convincing" evidence of genocide against the Yazidi religious minority. The UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) has finalized preliminary case briefs on two key priorities, i.e., the attacks against the Yazidi community in the Sinjar region of Iraq and the June 2014 killings of predominantly Shia unarmed cadets and military personnel at the Tikrit Air Academy. Reporting on his sixth and final report, Khan noted that ISIL's crimes, especially its ultimatum to convert or die [directed towards Yazidis], has "shocked the conscience of humanity." The evidence collected by UNITAD confirms crimes of murder, rape, torture, enslavement, sexual slavery and persecution against the Yazidis. ISIS was defeated in Iraq in 2017, but the UN says the group left behind more than 200 mass graves that could contain up to 12,000 victims.

The issue of civil and criminal liability of global technology and social media companies for hate speech resulting in violent crime and crimes against humanity has become more pronounced as civil societies and governments come to understand the role these companies have in spreading hate speech, which traditionally is not legally protected and is subject to criminal and civil prosecution if it leads to the incitement of violence.

While social media companies based in the United States may argue that they are shielded from liability based upon the broad protections of Section 230 of the Communications Decency Act, such immunity is not absolute. Additionally, an added component of the Yazidi case is the fact that the hate speech propagated by ISIS and disseminated on the social media platforms is coupled with the international and domestic crimes of human trafficking, which was a key recruitment and financing tool used by ISIS.

We believe that the enclosed complaint's findings, which have produced allegations against Facebook, Instagram, YouTube, Twitter, WhatsApp, Messenger, Kik and Telegram, among others, require a Government Investigation which has the investigatory and regulatory authority to

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conduct and complete a thorough investigation and possible criminal and civil prosecution of these companies.

Through our 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.

NLHY's 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 discovery 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. 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. Additionally, smaller and economically vulnerable neighboring countries to Iraq and Syria such as Jordan, Lebanon, Turkey and Greece, have had to absorb millions of migrants and refugees seeking safety from war, armed conflict and genocide. 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

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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.

Our investigative team can be contacted at contact@nlhelptyezidis.org. We look forward to hearing from you.

Sincerely,

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Cc: Heads of State, Coalition of the Willing Member States
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