



29 September 2017

HE Adama Dieng
Special Adviser of the Secretary-General
on the Prevention of Genocide
866 United Nations Plaza, Suite 600
New York, New York 10017

RE: Protection and Preservation of Evidence of Islamic State Actors' Commission of Genocide and/or Other Atrocities

Your Excellency:

We extend our sincerest thanks for your letter dated 12 September 2017. We deeply appreciate the time you took to inform us of your shared concerns regarding the ongoing atrocities committed by the Islamic State against Christians, Yazidis, and other religious and ethnic minorities in Syria, Iraq, and elsewhere. We also thank you for sharing our concerns and suggested plan of action with the Minister of Foreign Affairs of Iraq. We very much appreciate your work to engage the attention of Member States at the United Nations, and other key world leaders in this matter.

After receiving your letter, we learned that United Nations Security Council adopted Resolution 2379, which requests that the Secretary-General

establish an Investigative Team, headed by a Special Adviser, to support domestic efforts to hold [ISIS] accountable by collecting, preserving, and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide committed by the terrorist group [ISIS] in Iraq . . .¹.

The Resolution further states

that the Special Adviser, while avoiding duplication of effort with other relevant United Nations bodies, [is to] promote *throughout the world*, accountability for acts that may amount to war crimes, crimes against humanity or genocide committed by [ISIS], and work with survivors, in a manner consistent with relevant national laws, to ensure their interests in achieving accountability for [ISIS] are fully recognized².

We are extremely pleased with this development, and trust that, as you stated in your letter, these efforts to investigate the facts and bring the perpetrators to justice will be prioritised. It

¹S.C. Res. 2379, ¶ 2 (September 21, 2017).

²*Id.*, ¶ 3.



is indeed imperative to ensure that all potential evidence is protected and preserved. To that end, we are including with this letter a compilation of first-hand accounts detailing atrocities committed by the Islamic State against Christians, Yazidis, and other religious minorities. Much of this information comes from first-hand accounts of victims of Islamic State genocide and other atrocities.

In addition to the enclosed report, we are in close contact with several organisations that work “on the ground” in Iraq with victims of the Islamic State and these organizations are uniquely positioned to provide critical information, access to people, and access to other evidence that will without doubt aid you in your investigation and mission to preserve evidence. These organizations are, in fact, already collecting and preserving such evidence. We offer to put you, or any official you deem appropriate, discreetly in contact with these organisations with the hope of aiding in the preservation of potential evidence against the Islamic State, which in turn, will be used to hold the perpetrators accountable for these vicious and genocidal acts and ensure that justice is accomplished.

Moreover, we stand ready to assist your office in your investigation in any other way we can. Having engaged this issue for years, we have information and perspective that could prove useful in the crucial task at hand.

We look forward to your response and direction concerning the above.

Respectfully submitted,



Jay Alan Sekulow
Chief Counsel



Robert W. Ash
Senior Counsel