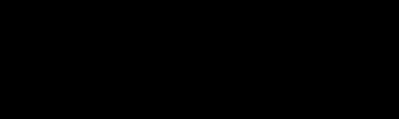




29 July 2016

HE Frank Jarasch
Minister-Counsellor and Head of the Political Section
Permanent Mission of the Federal Republic of Germany
to the United Nations Office in Geneva



RE: Response to Your Request for Additional Evidence and Information Regarding the Islamic State's Genocide Against Christians and Other Religious Minorities

Your Excellency:

By way of introduction, the European Centre for Law and Justice (ECLJ) is an international not-for-profit law firm located in Strasbourg, France, dedicated to protecting human rights and religious freedom in Europe and around the world. The ECLJ holds Special Consultative Status as an NGO before the United Nations. The ECLJ has submitted both written and oral statements to the United Nations Human Rights Council on this very subject, including statements at the 32nd Session. The ECLJ submits this correspondence on behalf of its members and over 393,500 persons, including persons residing in 164 nations and territories.

As you acknowledged, in its Report of the Independent International Commission of Inquiry on the Syrian Arab Republic¹, this Commission acknowledged the ongoing Islamic State (commonly referred to as IS, ISIS, ISIL and Daesh) genocide against Yazidis, but declined to acknowledge that Christians and other religious and ethnic minorities were also victims of genocide. It did so, ostensibly, because jizya is made available to Christians. We write to express to you our sincere gratitude that you acknowledged the Report's shortcomings and that you asked the Commission to address and provide additional information regarding the other religious minorities victimised by Islamic State genocide in Syria². Unfortunately, in his response to your request, Mr Vitit Muntarbhorn referenced the Commission's Report issued

¹Rep. of the Indep. Int'l Comm'n of Inquiry, "They Came to Destroy": *ISIS Crimes Against the Yazidis*, 32nd sess., U.N. Doc. A/HCR/32/CRP.2 (15 June 2016).

²Statement of Mr Frank Jarasch of Germany, *Commission of Inquiry on Syria – 20th Meeting 32nd Reg. Sess. of Human Rights Council*, webtv.un.org, at 37:00:00 (21 June 2016), <http://webtv.un.org/meetings-events/human-rights-council/regular-sessions/32nd-session/watch/id-commission-of-inquiry-on-syria-20th-meeting-32nd-regular-session-of-human-rights-council/4962898195001> ("Mr Chairman, The Yazidis are only one minority group in an extremely diverse region. Could you please provide more information on the situation of other minorities in Syria?").



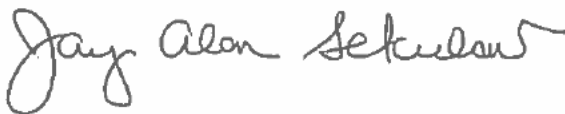
11 February 2016³ — which also fails to acknowledge that Christians, or any other religious and ethnic minorities, are victims of Islamic State genocide.

Thus, the purpose of this correspondence is twofold: To thank you for speaking up for the other religious victims of Islamic State genocide; and to advise you that we have provided to the Commission the additional information and evidence you had requested. Enclosed please find a copy of our correspondence to the Commission in that regard. In that correspondence, you will see that we addressed the factual and legal error accepted by the Commission when it justified its omission of Christians as genocide victims because some have been allowed to pay the jizya tax.

It is imperative that the United Nations—and nations such as Germany—formally recognise that the ongoing atrocities committed by the Islamic State against Christians, Yazidis, and other religious and ethnic minorities in Syria and elsewhere constitute genocide for purposes of implicating the obligations of the international community pursuant to the Convention on the Prevention and Punishment of the Crime of Genocide⁴ and the well established responsibility to protect⁵. While we call for swift and decisive action by the international community to stop the genocide and protect the victims, we also recognise that the first step is for the United Nations to *recognise* that the atrocities constitute genocide and to recognise *all* those victimised thereby, including Christians. The United Nations Human Rights Council, and the Independent International Commission of Inquiry on the Syrian Arab Republic have a critical role to play in stopping the genocide and protecting all its victims.

Wherefore, we appreciate your diplomatic efforts at the United Nations and we exhort you to continue your good work.

Respectfully submitted,



Jay Alan Sekulow
Chief Counsel



Robert W. Ash
Senior Counsel

³Statement of Mr Vitit Muntarbhorn, Member, *Commission of Inquiry on Syria – 20th Meeting 32nd Reg. Sess. of Human Rights Council*, webtv.un.org, at 1:35:00 (21 June 2016), <http://webtv.un.org/meetings-events/human-rights-council/regular-sessions/32nd-session/watch/id-commission-of-inquiry-on-syria-20th-meeting-32nd-regular-session-of-human-rights-council/4962898195001> (citing Rep. of the Indep. Int'l Comm'n of Inquiry on the Syrian Arab Republic, 31st sess., U.N. Doc. A/HCR/31/68 (11 Feb. 2016), <http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-31-68.pdf>).

⁴Convention on the Prevention and Punishment of the Crime of Genocide, art. II, Dec. 9, 1948, 78 U.N.T.S. 277.

⁵ *The Responsibility to Protect*, OFF. OF THE SPECIAL ADVISER ON THE PREVENTION OF GENOCIDE, <http://www.un.org/en/preventgenocide/adviser/responsibility.shtml> (last visited 28 July, 2016).