



November 14, 2016

President-Elect Donald J. Trump



Re: ISIS Genocide Against Christians and Other Religious Minorities

Dear Mr. President-Elect:

By way of introduction, the American Center for Law & Justice (ACLJ) is an organization dedicated to the defense of constitutional liberties secured by law. ACLJ attorneys have argued before the Supreme Court of the United States and other federal and state courts in a number of significant cases involving the freedoms of speech and religion. The ACLJ and its international affiliates defend human rights and religious liberty around the world.

The purpose of this correspondence is twofold. First, congratulations on your election as the forty-fifth President of the United States. Second, following up on correspondence we previously sent to you in October, we write to call your attention to the Islamic State (ISIS) genocide against Christians and other minorities in the Middle East. As you develop your agenda and prepare for your transition into office, we respectfully urge you to prioritize this issue for urgent and immediate attention.

We submit this correspondence on behalf of our organization and over 226,000 Americans from all 50 states who have signed our Petition calling for a committed, meaningful response to the ISIS genocide.

We recognize, and applaud, your consistent public acknowledgment throughout your campaign that ISIS is committing genocide and that Christians are among those victimized. We also embrace your repeated assertion that ISIS must be destroyed, and your promise that you will do so.

As you have courageously recognized on multiple occasions, ISIS is currently committing genocidal acts intended to destroy and obliterate Christians and other religious minorities in Iraq, Syria and elsewhere in the region. As you develop your plan of action for defeating ISIS, we urge you to directly address the ongoing ISIS genocide. Mr. President-Elect, you have the opportunity to end that genocide and protect the persecuted.

We are grateful for your bold recognition of the evils of the ongoing genocide, like your observation at Youngstown State University that:



ISIS has carried out one unthinkable atrocity after another. Children slaughtered, girls sold into slavery, men and women burned alive. Crucifixions, beheadings and drownings. Ethnic minorities targeted for mass execution. Holy sites desecrated. Christians driven from their homes and hunted for extermination. ISIS rounding-up what it calls the “nation of the cross” in a campaign of genocide. We cannot let this evil continue.¹

You are absolutely correct in your assessment. And you are not alone. On March 14, 2016, the United States House of Representatives unanimously passed a bipartisan resolution declaring ISIS beheadings, enslavement, mass rape, and other atrocities against Christians and other religious minorities as genocide.² Shortly thereafter, United States Secretary of State John Kerry declared that “Daesh is responsible for genocide against groups in areas under its control, including Yezidis, Christians, and Shia Muslims. Daesh is genocidal by self-proclamation, by ideology, and by actions – in what it says, what it believes, and what it does.”³ In fact, numerous international legal, institutional and charitable organizations have also condemned ISIS’s acts as genocide.

However, after formally recognizing the ISIS genocide in March, the Obama Administration’s response has been woefully inadequate – ignoring its obligations to act – both in stemming the tide of genocide and protecting the religious minorities affected by that genocide. We urge you to take decisive steps as President to end this historic evil. The ACLJ will support your efforts to defeat ISIS, end the genocide, and protect the victims.

As we addressed in our earlier correspondence, the ACLJ launched the following seven-point plan in its campaign to end the genocide and aid and protect the victims. Again, we submit and recommend to you the following actions as integral to any plan that will successfully end this genocide.

- Call upon the United Nations Secretary General and the High Commissioner for Human Rights to formally recognize the genocide against Christians and other religious minorities and demand that the United Nations as a whole do so as well.
- Call upon the United Nations Office of Special Adviser on the Prevention of Genocide to fulfill its role “as a catalyst . . . to alert relevant actors where there is a risk of genocide, and to advocate and mobilize for appropriate action.”
- Call upon the United Nations Security Council to refer the matter of genocide prosecution to the International Criminal Court; or establish “ad hoc tribunals” for genocide prosecution.
- Demand international intervention to protect Christians and other religious minorities from genocide. International law requires that when a State “is manifestly failing to protect its populations” from genocide, “the international community must be prepared to take collective action to protect populations”
- Direct the United States Department of State and the United States delegation to the United Nations to demand United Nations action as set forth above.

¹POLITICO, *Full text: Donald Trump's Speech on fighting Terrorism* (Aug. 15, 2016 3:15 PM), <http://www.politico.com/story/2016/08/donald-trump-terrorism-speech-227025#ixzz4HSHxzrrU>.

²H.R. Con. Res. 75, 114th Cong. (1st Sess. 2015).

³John Kerry, *Remarks on Daesh and Genocide*, U.S. DEP’T OF STATE (Mar. 17, 2016), <http://www.state.gov/secretary/remarks/2016/03/254782.htm>.

- Direct the United States Department of State and other relevant agencies to lead an international coalition in the establishment of in-region “safe zones” for the genocide victims. The establishment of these “safe zones” eliminates the need for mass refugee relocation to the United States before proper safeguards can be implemented. It will also help facilitate your related proposal to freeze the relocation to the United States of refugees who cannot be fully vetted.
- Lead an effective international coalition to defeat ISIS militarily. This will likely require expanding military efforts, changing the focus of the effort, and/or reevaluating the strategy of military action.

While we believe that these actions are necessary to end ISIS’s genocide against Christians and other religious minorities, we are well aware that there is much more that can and must be done.

With these action points in mind, we urge you to select nominees for the Department of State, and in particular the U.S. Missions to the United Nations and other international organizations, who will zealously and consistently advocate within the United Nations for meaningful action consistent with the Convention on the Prevention of Genocide. Such action could include prosecution by international tribunals.

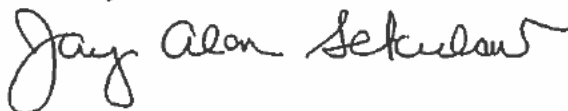
Moreover, we urge you to develop and lead a meaningful and effective international coalition to defeat ISIS militarily. The so-called Caliphate must be destroyed, convincingly and expeditiously. Finally, any plan of military action must include and adequately address the plight of those who have survived the ISIS genocide and brutal subjugation. Hundreds of thousands of displaced persons, including Christians and Yazidis, who have survived ISIS need in-region safe zones – as many of them will want to return to their ancestral homelands. They need military protection and assistance.

We urge you to take advantage of all funding appropriated by Congress, to authorize any action by U.S. forces necessary to effectuate this critical assistance to ISIS survivors, and to boldly lead the international coalition in this life-saving effort.

Mr. President-Elect, we urge you to make clear to the American people, to ISIS, and to our allies and enemies, that you will keep your promise to destroy ISIS, end the genocide, and protect the victims. Please take these actions without delay.

Again, on behalf of over 226,000 Americans, we thank you for your attention to this security and humanitarian crisis.

Sincerely,



Jay Alan Sekulow
Chief Counsel