



Your Excellency,

The *European Centre for Law and Justice* would like to draw your attention to the Human Rights Council's duty to recognise that the atrocities committed by ISIS against various ethnic and religious groups constitute "genocide" under international law, following the example set by other national and international authorities.

The 1948 Genocide Convention defines "genocide" as any of the following acts committed with *intent to destroy, in whole or in part, a national, ethnical, racial or religious group*, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group¹.

Article III of the Genocide Convention identifies the following as punishable acts: "(a) Genocide; (b) Conspiracy to commit genocide; (c) Direct and public incitement to commit genocide; (d) Attempt to commit genocide; (e) Complicity in genocide"². Article IV makes it clear that "Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals"³. Such provisions mean little if the United Nations fails to recognise particular acts as acts of genocide.

In fact, hundreds of thousands of Christians have fled Iraq and Syria since the rise of ISIS⁴. The Islamic State's religion-targeted abuses in Iraq include beheadings, burning alive in caskets, and other barbaric "killings, rape, kidnapping, enslavement, theft . . . destruction of religious sites . . . sexual slavery, forced conversion, ransom demands, property seizures, and forced business closures"⁵. In Syria, ISIS has beheaded and stoned men, women, and children

¹Convention on the Prevention and Punishment of the Crime of Genocide, 9 Dec. 1948 (emphasis added).

²*Id.* at art. III.

³*Id.* at art. IV.

⁴*Id.*; see also BUREAU OF DEMOCRACY, H.R. AND LAB., U.S. DEP'T OF STATE, SYRIA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT 1-2 (2014) [hereinafter Syria Report].

⁵BUREAU OF DEMOCRACY, H.R. AND LAB., U.S. DEP'T OF STATE, IRAQ 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT 1-2 (2014) [hereinafter Iraq Report].



for blasphemy, heresy, and apostasy.⁶ ISIS has also demanded that religious minorities pay a tax (called *jizya*), or flee — punishing by death those who fail to comply.⁷

The Islamic State's notorious abuses are targeted primarily against religious minorities, including an estimated 200,000 Iraqi Christians in 2014⁸. The growing body of evidence demonstrates that the inhuman violence at issue is, in fact, genocide as defined by the Convention.

Once the United Nations recognises the genocide as such, *then* it may properly mobilise the international community to honour the terms of the Genocide Convention and fulfil its responsibility to protect.

According to the Genocide Convention, “[t]he Contracting Parties confirm that genocide . . . is a crime under international law which they undertake to prevent and punish”⁹. The Convention makes clear that “the competent organs of the United Nations” have a responsibility “to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide”¹⁰. According to the Office of the Special Adviser on the Prevention of Genocide, “[t]he duty to prevent and halt genocide and mass atrocities lies first and foremost with the State, but the international community has a role”¹¹.

The Thirty-Second Session provides an opportunity for this critical organ of the United Nations to squarely address the ongoing humanitarian crisis posed by ISIS. This Council should identify the subject atrocities as genocide at this Session. We respectfully request that this Council declare that the “Islamic State” and its followers are committing acts of genocide against religious and ethnic minorities and to then act accordingly.

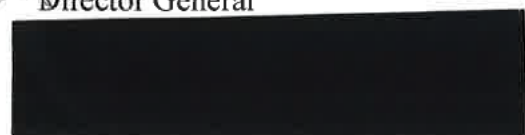
The action we request — a declaration of genocide by this Council and by the United Nations — rests on solid ground and precedent. We also respectfully request that your country's delegation raise this issue at the 32nd Session whenever possible.

I would like to inform you that I will be in Geneva from June 20th to 24th and will be available to meet you for further action on the issue.

Yours faithfully,



Dr Grégor Puppinc
Director General



⁶Syria Report, *supra* note 4, at 1.

⁷*Id.*

⁸Iraq Report, *supra* note 5, at 4.

⁹Genocide Convention, *supra* note 1 at art. I.

¹⁰ *Id.* at art. VIII.

¹¹*The Responsibility to Protect*, OFF. OF THE SPECIAL ADVISER ON THE PREVENTION OF GENOCIDE.

