



August 21, 2017

**VIA OVERNIGHT DELIVERY SERVICE**

Governor Sam Brownback  
[REDACTED]

*RE: Islamic State's Genocide Against Christians and Other Religious Minorities*

Dear Governor Brownback:

Congratulations on your nomination for the position of U.S. Ambassador-at-Large for International Religious Freedom.

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 – including the European Centre for Law and Justice (ECLJ), which is credentialed as an NGO before the United Nations – defend human rights and religious liberty around the world.

As you are aware, “[t]he Office of International Religious Freedom has the mission of promoting religious freedom as a core objective of U.S. foreign policy.”<sup>1</sup> Today, the religious freedom of Christians around the world is under significant attack. The Islamic State (also known as ISIS or Daesh) is currently committing genocidal acts intended to destroy and obliterate Christians and other religious minorities in Iraq, Syria, and elsewhere in the world. The purpose of this correspondence is to bring the plight of these groups to your attention as the newly nominated Ambassador-at-Large for International Religious Freedom, and to request your immediate engagement on behalf of the victims, and in furtherance of justice for the perpetrators. We submit this correspondence to you on behalf of our organization and more than 326,000 Americans from all 50 states who have signed our petition to stop the ISIS genocide and protect Christians.

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<sup>1</sup> *Religious Freedom*, U.S. DEPT. OF STATE, <https://www.state.gov/j/drl/irf/> (last visited Aug. 18, 2017).



ISIS's systematic pattern of widespread murder and sexual abuse has forced thousands of Christians and other religious minorities to flee from Iraq and Syria. These acts are leading to the wholesale destruction of Christians in the region. The growing body of evidence demonstrates that the inhuman violence at issue is, in fact, genocide as defined by U.S. law<sup>2</sup> and the Convention on the Prevention and Punishment of the Crime of Genocide<sup>3</sup> – a genocide targeting Christians.

In the summer of 2014, ISIS leader Abu Bakr Al-Baghdadi, as self-proclaimed Caliph Ibrahim, declared the creation of an Islamic caliphate under his leadership. Since Al-Baghdadi declared the creation of his caliphate, ISIS has systematically killed Christians, Yazidis, and other non-Muslim as well as Muslim minorities who do not adhere to ISIS's ideology. *ISIS members have killed Christians and Yazidis by the thousands, have enslaved and raped thousands more because of their religion, and have destroyed their places of worship, their home, and their livelihoods.*<sup>4</sup>

In Iraq and Syria, Christians represent a small minority of the population, making up roughly 8% of the Syrian population<sup>5</sup> and less than 3% of the Iraqi population.<sup>6</sup>

The Christian population in both Syria and Iraq has been decimated. In fact, hundreds of thousands of Christians have fled Syria and Iraq since the rise of the Islamic State.<sup>7</sup> The Islamic State's barbarity knows no bounds.

In Syria, the Islamic State has beheaded and stoned men, women, and children for blasphemy, heresy, and apostasy.<sup>8</sup> One Christian Syrian woman described ““Christians being killed and tortured, and . . . children being beheaded in front of their parents.””<sup>9</sup> She spoke of “250 children [who] were put in the dough mixer, they were kneaded. The oldest one of them was four-years-old.”<sup>10</sup> At times, the Islamic State has also demanded that religious minorities pay a tax (called jizya), or flee—punishing by death those who fail to comply.<sup>11</sup>

The Islamic State's religion-targeted abuses in Iraq include beheadings, burning victims alive in caskets, and other barbaric “killings, rape, kidnapping, enslavement, theft . . . destruction of religious sites . . . sexual slavery, forced conversion, ransom demands, property seizures, and

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<sup>2</sup>18 U.S.C. § 1091 (2012).

<sup>3</sup>Convention on the Prevention and Punishment of the Crime of Genocide, art. II, Dec. 9, 1948.

<sup>4</sup>GENOCIDE AGAINST CHRISTIANS IN THE MIDDLE EAST, KNIGHTS OF COLUMBUS AND IN DEFENSE OF CHRISTIANS (9 Mar. 2016) [hereinafter GENOCIDE AGAINST CHRISTIANS IN THE MIDDLE EAST], <http://indefenseofchristians.org/wp-content/uploads/2016/03/Genocide-report.pdf>.

<sup>5</sup>BUREAU OF DEMOCRACY, H.R. AND LAB., U.S. DEP'T OF STATE, SYRIA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT 2 (2014) [hereinafter SYRIA REPORT].

<sup>6</sup>BUREAU OF DEMOCRACY, H.R. AND LAB., U.S. DEP'T OF STATE, IRAQ 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT 3 (2014) [hereinafter IRAQ REPORT].

<sup>7</sup>GENOCIDE AGAINST CHRISTIANS IN THE MIDDLE EAST *supra* note 4; *see also* SYRIA REPORT, *supra* note 5.

<sup>8</sup>SYRIA REPORT, *supra* note 5, at 1.

<sup>9</sup>Katie Mansfield, *Barbaric ISIS Mangle 250 Children in Industrial Dough Kneader and Cooks Rest Alive in Oven*, EXPRESS.CO.UK.COM (26 Oct. 2016, 4:00 PM), <http://www.express.co.uk/news/world/723942/ISIS-kills-250-children-dough-kneader-burns-men-alive-oven-Syria-Open-Doors-report>.

<sup>10</sup>*Id.*

<sup>11</sup>*Id.*

forced business closures.”<sup>12</sup> Islamic State fighters destroyed Iraq’s oldest Christian monastery, St. Elijah’s.<sup>13</sup> Father Paul Thabit Habib, a Catholic priest “who now lives in Kurdish-administered Irbil” said that Iraq’s “Christian history was ‘being barbarically leveled.’”<sup>14</sup> He added, “[W]e see it as an attempt to expel us from Iraq, eliminating and finishing our existence in this land.”<sup>15</sup>

Virtually every day brings new reports and accounts of the Islamic State’s barbarism. Any question as to the genocidal nature of the atrocities committed against Christians and other religious and ethnic minorities has been answered in the affirmative.

Thankfully, on March 17, 2016, then Secretary of State John Kerry declared that ISIS is “responsible for genocide against groups in areas under its control, including Yazidis, Christians and Shiite Muslims.”<sup>16</sup> Secretary of State Rex Tillerson reaffirmed this position, stating that “ISIS is clearly responsible for genocide against Yazidis, Christians and Shia Muslims.”<sup>17</sup>

Other international bodies have declared these atrocities against Christians and other religious minorities as genocide including the European Parliament, the Parliamentary Assembly of the Council of Europe, British House of Commons, and the Austrian National Council.

With this mandate, you are equipped as Ambassador-at-Large for International Freedom to take significant steps toward raising awareness of the crisis and implementing a solution. To that end, we at the ACLJ called for the implementation of a seven-point plan to end the genocide against Christians and other religious minorities, aid the victims, and bring the perpetrators to justice.

**First**, we call upon the United Nations (U.N.) Secretary General and the High Commissioner for Human Rights to formally recognize the genocide against Christians and demand that the U.N. as a whole do so as well. This would follow the lead of the the U.S. Department of State, the U.S. House of Representatives, the U.S. Commission on International Religious Freedom, the Holy See’s representative at the U.N. in Geneva and Pope Francis, the Parliamentary Assembly of the Council of Europe, and the European Parliament.

**Second**, we call upon the U.N. 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” – “appropriate action” being *any action that stops this genocide*.

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<sup>12</sup>IRAQ REPORT, *supra* note 6, at 2.

<sup>13</sup>*Iraq’s Oldest Christian Monastery Destroyed by Islamic State*, BBC NEWS (Jan. 20, 2016), <http://www.bbc.com/news/world-middle-east-35360415>.

<sup>14</sup>*Id.*

<sup>15</sup>*Id.*

<sup>16</sup>Elise Labott & Tal Kopan, *John Kerry: ISIS Responsible for Genocide*, CNN.COM (Mar. 18, 2016, updated 2:41 PM), <http://www.cnn.com/2016/03/17/politics/us-iraq-syria-genocide/index.html>.

<sup>17</sup>Erin Dooley & Kirit Radia, *ISIS is Clearly Responsible for Genocide, Tillerson Says*, ABCNEWS.GO.COM (Aug. 15, 2017), <http://abcnews.go.com/International/isis-responsible-genocide-tillerson/story?id=49231365>.

**Third**, we call upon the U.N. Security Council to refer the matter of genocide prosecution to the International Criminal Court or establish “ad hoc tribunals” for genocide prosecution as was done in response to the horrific genocides in Rwanda and Yugoslavia. These mechanisms are appropriate under the circumstances and based on international law and precedent. We also urge the U.N. Security Council to consider all options available to it (including resolutions, military, and peacekeeping initiatives) to stop the genocide and protect Christians and other religious minorities.

**Fourth**, we demand international intervention, by any means necessary, to protect Christians and other religious minorities from genocide. International law requires that when a State (such as Syria and Iraq) “is manifestly failing to protect its populations” from genocide – as the countries overrun by ISIS’s jihadist army are clearly incapable of stopping the genocide against Christians – “the international community must be prepared to take collective action to protect populations . . .”. We must assist in making the case that the contracting states involved here, Iraq and Syria., are incapable of prosecuting genocide and protecting Christians from genocide – thus activating the international community’s duty to act.

**Fifth**, we call upon the President, the U.S. Department of State, and the U.S. delegation to the U.N. to demand U.N. action as set forth above. It is the Executive Branch that speaks as the voice of the United State with respect to foreign affairs and our diplomatic relations with the international community. Specifically, the Office of Ambassador-at-Large for Religious Freedom plays an important role in recommending and implementing the religious freedom policies of the Executive Branch. That is why we call upon the Executive Branch to follow through on our commitments at the U.N.

**Sixth**, we call for the establishment of in-region “safe zones” for the victims of genocide. This step reflects the duty to protect Christians victimized by ISIS. The creation of “safe zones” addresses the need to protect the persecuted, while still protecting the national security interests of the United States.

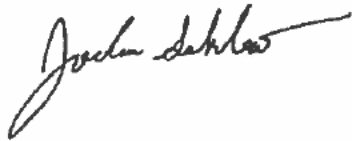
**Seventh**, we call for the creation of an effective international coalition to defeat ISIS militarily. For example, by expanding the military effort, changing the focus of the effort and/or reevaluating the strategy of military action. We agree with Pope Francis, who has recognized that military force is justified to stop the genocide against Christians. The status quo is insufficient. We must destroy ISIS once and for all to provide a sustainable and lasting solution for the approximately 10 million refugees who have been displaced many of whom are Christians or adherents to minority religious beliefs.

As a beacon of freedom and democracy around the world, the United State must lead the international community in the fight against the evils of the ongoing genocide. We therefore respectfully and solemnly urge you to prepare as Ambassador-at-Large to recognize and reaffirm that the ongoing atrocities committed by the Islamic State and associated groups constitute genocide and that Christians are among those victimized thereby. Further, we ask that you make this a top priority in your new role, and urge you to take all appropriate actions to mobilize the U.S. and the international community to swiftly and decisively end the ISIS genocide.

At the ACLJ, and through our international affiliates worldwide, we stand ready to assist you and your office in any way to further these ends. We have compiled further detailed evidence of the ongoing genocide against Christians and are regularly presenting it to the U.N. and other international bodies, and would be happy to provide you further details or answer any questions you may have.

Again, on behalf of over 326,000 Americans, we thank you for your attention to this crisis.

Sincerely,

A handwritten signature in black ink, appearing to read "Jordan Sekulow". The signature is written in a cursive style with a long, sweeping underline.

Jordan Sekulow  
Executive Director