

EUROPEAN EXTERNAL ACTION SERVICE



Stavros Lambrinidis

European Union Special Representative for Human Rights

Brussels, 06 February 2018

Ares (2018)

**European Centre for Law and
Justice (ECLJ)**

Dear Messrs. Sekulow and Ash,

Thank you for your letter dated 20 November 2017 to the President of the European Council and for the enclosed legal memorandum concerning the appropriate recognition and prosecution of Da'esh atrocities against Christians and other religious minorities. President Tusk has asked me to reply on his behalf.

As you know, we fully share your concerns for the plight of Christians and minority groups in the Middle East. As to Da'esh crimes committed on Iraqi soil, the Iraqi government has a key role to play, in accordance with the Iraqi legal system, in order to ensure effective prosecution of the perpetrators of such crimes. The EU is supporting the Iraqi Government in various ways with a view to further assisting in the collection of evidence, investigating crimes and identifying/shaping the most appropriate legal instruments for prosecution.

In this regard in October 2017, the European Counter-Terrorism Coordinator organised in Brussels a workshop on national and international criminal justice involving three Iraqi Vice-Ministers and numerous experts. The discussion highlighted, inter alia, the importance of updating Iraqi national legislation with regard to crimes against humanity, war crimes, and genocide. Furthermore, the EU is also supporting the International Commission for Missing Persons (ICMP) to assist Iraq in accounting for its missing and disappeared persons, including through investigations into mass and hidden graves in accordance with international norms.

As regards the implementation of UN Security Council Resolution 2379, we appreciate the progress made in view of the deployment of the UN investigative team to collect and preserve evidence in relation to possible war crimes, crimes against humanity, and genocide. We are looking forward to the preparatory work in this regard and are ready to provide support as appropriate, if requested.

We understand that the process to bring Da'esh to justice is a challenging one that requires dedication and continuous dialogue with the Iraqi Government and the international community. Please rest assured that the EU remains fully engaged in this regard.

Finally, Iraq's richness clearly lies in its ethnic, religious and cultural diversity. The EU believes that maintaining such diversity across the country is of paramount importance and remains committed to this objective. Safeguarding human rights and ensuring proper representation of persons belonging to minorities is a crucial pillar of the EU's engagement with Iraq. This was prominently addressed both in the new EU strategy for Iraq adopted on 8 January 2018 and on numerous other public occasions.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'Stavros Lambrinidis', with a long, sweeping horizontal line extending to the right.

Stavros Lambrinidis