

Tom Lantos Human Rights Commission Hearing
Confronting the Genocide of Religious Minorities: A Way Forward
Hon. Frank Wolf- Written Testimony
Tuesday, April 19th, 2016
1334 Longworth House Office Building

Mr. Chairman, Members of the Committee, thank you for having this hearing regarding the atrocities that have taken place at the hands of the Islamic State against the religious minorities in Iraq and Syria.

In January of 2015, a group of us from the 21st Century Wilberforce Initiative, travelled to Northern Iraq in order to see the situation first-hand. After this trip, we released a report entitled “Edge of Extinction,” which documented some of what we witnessed. In the summary of the report, we indicated that: “Religious and ethnic minorities in Iraq are living at the edge of extinction. They are marginalized and under threat from the genocidal actions of the Islamic State (IS) in Iraq resulting in the purging of religious and ethnic minorities from their historic homes. If immediate action is not taken, the existence of religious and ethnic minority communities such as Christians, Yezidis, Shabak and Turkmen will continue on a trajectory of precipitous decline into virtual non-existence.”

One Yezidi leader told us, *“IS told us the problem was our religion, so that even if we run away to Kurdistan [the Kurds] will join [ISIS] and kill us because we are not Muslims. So we are told to just convert and join IS. Some [Yezidis] did convert. The majority of them refused and so they were transferred from Iraq to Syria and used as goods. IS wanted to kill all of the Yezidi people...[IS] says we are non-believers. But we want to be human and have human rights. We have no honor. We’ve lost our mothers and sisters.”*

A Christian Bishop who was displaced from Mosul said, *“Does the American government recognize the thousands of years of heritage displaced in one day?...Does the media cover the burning of the churches?” He continued, “This is not just the end of Christianity, but the end of our ethnicity who have lived here for thousands of years. We believe this is genocide...”*

What has happened to these religious minorities meets the Raphael Lempkin definition of genocide, which is as follows, *“Any of the following acts committed with intent to destroy, in whole or in part, a national ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; [and] forcibly transferring children of the group to another group.”*

The whole world watched as the Islamic State broadcast the murder of the 21 Christians in Libya and others throughout Iraq and Syria. The world stood by, aghast, as the young Yezidi girls were sold as slaves and raped over and over. We continued to be horrified as story after story came out about forced conversions and the destruction of ancient cultural monuments and places of worship. We have seen the pictures of the mass graves. It has been apparent from the very

beginning that the goal of ISIS has been to rid the region of any religious diversity. That is genocide.

In July of 2015 I wrote a letter to President Obama which stated, “If the Islamic State achieves its stated goals- capturing large swaths of land, restoring the caliphate, and strictly enforcing its “pure” Shari’a law on all under its rule- the specter of full-scale genocide once again looms large. Furthermore, the atrocities committed by the Islamic State are a direct threat to the United States national security. If allowed to grow in size and resources, there is no doubt that this insurgency will spill out of the Middle East and into the West, bringing this system of organized desolation to our doorstep.”

In October of 2015 and in February of 2016, with the help of the International Religious Freedom Roundtable a letter, signed by a broad coalition of human rights groups, lawyers, NGO’s, and individuals, was sent to President Obama. The October letter expressed that: “It is our belief that officially declaring and subsequently halting this genocide and its spread is a matter of vital more and strategic importance for the United States, the international community, and the overall state of religious freedom around the world. Perhaps equally as important, such a declaration will give a stronger voice to the long-suffering victims while furthering and sharpening ideological engagement against those currently at the forefront of this campaign.”

I, along with my colleagues at the 21st Century Wilberforce Initiative, and many other groups and individuals, have not only travelled to the region, but advocated through private meetings, letters, and briefings that the State Department should investigate the possibility of genocide as well as to refer the situation to the United Nations Security Council.

Religious leaders including Pope Francis, Anglican Archbishop Justin Welby, Cardinal Wuerl, Cardinal Dolan, and many others called for the world to be honest about ISIS’ crimes. Politicians also acted. Rep. Chris Smith pushed to get the bi-partisan resolution of Representatives Jeff Fortenberry (R-NE) and Anna Eshoo (D-CA) to an on-record vote in the House of Representatives. Ambassador Sapperstein and Special Envoy Knox Thames presented the evidence within the State Department. Robbie George and Katrina Lantos Swett and others with the U.S. Commission on International Religious Freedom were instrumental in this effort. Law firms such as The Beckett Fund, ACLJ, and Andrews Kurth, LLP all submitted briefs as further evidence.

People such as Marte Hudson, Chris Seiple with Institute for Global Engagement, Nina Shea of the Hudson Institute, Greg Stanton of Genocide Watch, Juliana Taimoorzy of Iraqi Christian Relief Council, Robert Nicholson from Philos Project, and Greg Mitchell along with the members of the International Religious Freedom Roundtable, as well as groups like Knights of Columbus, In Defense of Christians, the Holocaust Museum and others all worked to bring these crimes to light.

I believe that it was a very significant step that the House of Representatives passed H. Con. Res 75, (393-0) which decried the atrocities committed by ISIS to be genocide. I do not think this would have happened without the advocacy of so many around the world and in the United States. As Samantha Power indicated in her book, *A Problem from Hell*, “It take political

pressure to put genocide on the map in Washington.”¹ It is my hope that the Senate will work to pass S. Res. 340. I would also like to thank Secretary Kerry for publicly acknowledging that the Islamic State has committed genocide against the religious minorities in Iraq and Syria. While I am aware that defining these crimes does not necessarily mean that justice will prevail, this is a change from cases in the past when genocide was committed and the U.S. stood by in silence. Granted, such a designation now requires the need to act.

The genocide designation is important on many levels, but first and foremost, it honors the victim’s memories. Additionally, targeted groups are better able to seek refugee status or receive aid if they wish to stay in their home country, as many wish to do. One area of major concern is the rehabilitation of the women and girls who have been released from ISIS as well as trauma counseling for the children. An article published by Human Rights Watch this past Wednesday revealed once again that such services are limited and non-existent in some places. According to the article, the UN thinks that as many as 3,500 people may still be held by ISIS, many women and girls.²

Another area of need is that of a Safe Haven for religious minorities. These people need a place to live where they can rebuild their lives without having to re-live the horrors of what happened to them. (Many have suggested the creation of a province in the Nineveh Plains for Christians, Yezidis, Shia Turkmen and other religious minorities.)

The genocide designation also provides an avenue for the prosecution of perpetrators or for those who aid them. In September of 2015 I wrote a letter to Attorney General Loretta Lynch requesting the prosecution of those involved in the murder of the four American citizens (James Foley, Stephen Sotloff, Peter Kassig, and Kayla Mueller).

If the Justice Department is able to find a way to exercise extraterritorial jurisdiction over a case of sports corruption as seen with FIFA, surely it can do the same against a genocidal group that has taken the lives of American citizens.

Many of you may have attended the private Member briefing with the young Yezidi girl, Bazi, last summer. She was allegedly held by an American who had joined ISIS.

Our Justice Department should not only be concerned about the American citizens who were killed by ISIS, but also with those who have joined their vile ranks. Just a month ago an article came out about a young man from Virginia who had joined ISIS, and finding life to difficult, tried to defect to Turkey. He was apprehended and is still being held by the Kurdistan Regional Government.³ I would hope that our Justice Department has a plan to move forward on prosecution of these individuals. Such prosecution should also include countries or individuals who fund or harbor members of ISIS. While I was in Iraq I was told multiple times that some in Saudi Arabia, Qatar, and Turkey have aided the Islamic State. This must come to a stop.

It should be made clear that anyone aiding ISIS in any way should be charged with genocide in various governmental courts but also before the International Criminal Court. Also, Congress should quickly pass legislation to change Title 18 of the United States criminal code to ensure

¹ *A Problem From Hell*, Samantha Power, pg. 509

² <https://www.hrw.org/news/2016/04/14/why-has-world-forgotten-islamic-states-female-sex-slaves>

³ <http://www.miamiherald.com/news/nation-world/national/article70542677.html>

that the world's worst human rights offenders cannot evade prosecution for their crimes and find a legal "safe haven" within the U.S. borders. This gap in our criminal codes is especially of concern now given the ongoing- and increasing- atrocities being committed against civilians, especially women and children in Iraq and Syria by ISIS and its affiliates. If past history is an example, many who have been involved in genocide, crimes against humanity, and serious war crimes, will find their way to the United States.

The success of the effort to designate this genocide is a tribute to the cooperation of the groups mentioned above and a number of others including the critical voices of Amb. David Sapperstein and Special Envoy Knox Thames. Without those two individuals and the many groups working together this would not have happened.