

Federica Mogherini
High Representative of the Union for Foreign Affairs and Security Policy
Vice-President of the Commission
European Commission
1049 Brussels

Brussels, 22nd April 2016

Dear Madam High Representative,

Re: The European Union must speak out strongly on genocide

So-called Daesh (also known as Islamic State, IS, ISIS or ISIL) is committing genocide against religious and ethnic minorities, targeting women and girls in particular. We ask that you speak on behalf of the EU and refer to these crimes as genocide, call for the prevention and suppression of this ongoing genocide, and call for the prosecution of these crimes.

The facts are unequivocal. Daesh is committing crimes amounting to genocide under international law against Yazidis, Christians (Chaldeans, Assyrians and Syrians), Shia Muslims and other ethnic and religious minorities, as reports and verified information obtained from UN agencies,¹ human rights organizations,² local communities³ and media⁴ clearly demonstrate. This genocide is presently carried out by killing, causing serious bodily and mental harm, imposing measures intended to prevent births within particular groups, imposing conditions designed to bring about the destruction of particular groups, and forcibly transferring children: acts which are explicitly prohibited by the Convention on the Prevention and Punishment of Genocide and the Rome Statute of the International Criminal Court.

In addition, Daesh specifically targets women and girls through rape and other forms of sexual violence, forced marriage, sexual slavery, forced abortion, forced conversion and murder.⁵ We ask that you treat those acts as genocide, as failing to do so denies women their rights to equal protection under the Genocide Convention.

The international community increasingly recognises and acknowledges these facts. On 4th February, our House adopted a resolution on the systematic mass murder of religious minorities by Daesh, expressing

[the] view that the persecution, atrocities and international crimes amount to war crimes and crimes against humanity; stress[ing] that the so-called 'ISIS/Daesh' is

¹ "Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups". United Nations. 27th March 2015. Ref. A/HRC/28/18. Available from <http://bit.ly/1pywm6v>.

² "Our Generation is Gone: The Islamic State's Targeting of Iraqi Minorities in Ninewa". United States Holocaust Memorial Museum: Washington, D.C. 12th November 2015. Available from <http://bit.ly/22oMHMd>.

³ "ISIL: Nationals of ICC states parties committing genocide and other crimes against the Yazidis. Requesting the commencement of a preliminary examination in the situation involving genocide and other crimes committed against the Yazidis in Sinjar and Nineveh Plains since August 2014". Submission to the Office of the Prosecutor of the International Criminal Court, September 2015. Available from <http://bit.ly/1PgmzWV>.

⁴ "To Maintain Supply of Sex Slaves, ISIS Pushes Birth Control". New York Times. 13th March 2016. Available from <http://nyti.ms/1WvWvwX>.

⁵ "Letter and Annex in Support of Filing OTP-CR-397/15". Global Justice Center: New York, 17th December 2015. Available from <http://bit.ly/1R2sLGZ>.

committing genocide against Christians and Yazidis, and other religious and ethnic minorities⁶

The U.S. House of Representatives adopted a similar resolution on 14th March, expressing the view that “the atrocities perpetrated by ISIL against Christians, Yazidis, and other religious and ethnic minorities in Iraq and Syria constitute war crimes, crimes against humanity, and genocide”.⁷

In addition, U.S. Secretary of State John Kerry asserted on 17th March that

Daesh is responsible for genocide against groups in areas under its control, including Yazidis, 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. Daesh is also responsible for crimes against humanity and ethnic cleansing directed at these same groups and in some cases also against Sunni Muslims, Kurds, and other minorities.⁸

These crimes have been referred to as highly likely to constitute genocide by several UN bodies,^{9,10} several EU Member States including Germany,¹¹ Austria, Belgium, Croatia, Slovenia and numerous third countries.¹²

Our obligations under international law are clear. Customary international law binds the EU, a legal entity, to do all it can to prevent, suppress and punish ongoing genocide. This is a matter of utmost urgency as crimes continue to be perpetrated against the women, men and children still in captivity and under Daesh’s control.

The EU and its Member States have laudably pledged over EUR 1 billion for the crisis in Syria and Iraq in 2015–16. Beyond this commendable and real assistance, we must also lead the way symbolically. The EU’s leadership will encourage the international community and relevant institutions to take resolute action.

In relation to the migrant and refugee crisis at the doors of the EU, the President of the European Council stated on 16th March that the EU “cannot and will not compromise” on “the absolute need to respect both our EU law and international law. [...] Without that Europe will no longer be Europe.”

International law calls for the recognition and suppression of ongoing genocide, and for the prosecution of perpetrators. After the world’s failures to stop genocide in Rwanda, the international community promised “never again”. We must not let that promise ring hollow to victims. The time for the European Union to speak out – and act – is now.

Yours sincerely,

⁶ “European Parliament resolution of 4 February 2016 on the systematic mass murder of religious minorities by the so-called ‘ISIS/Daesh’” (2016/2529(RSP))

⁷ “Expressing the sense of Congress that the atrocities perpetrated by ISIL against religious and ethnic minorities in Iraq and Syria include war crimes, crimes against humanity, and genocide” (H.Con.Res.75). U.S. House of Representatives. Available from <http://1.usa.gov/21zjf60>.

⁸ “Remarks on Daesh and Genocide. U.S. Department of State”. 17th March 2016. Available from <http://1.usa.gov/1R4vJdB>.

⁹ “Report on the Protection of Civilians in the Armed Conflict in Iraq (1 May – 31 October 2015)”. Office of the United Nations High Commissioner for Human Rights and United Nations Assistance Mission for Iraq – Human Rights Office.

19th January 2016. Available from <http://bit.ly/1Rp85f0>.

¹⁰ “Statement by Adama Dieng, Special Adviser of the Secretary-General on the Prevention of Genocide, and Jennifer Welsh, Special Adviser of the Secretary-General on the Responsibility to Protect, on the situation in Iraq”. United Nations.

12th August 2014. Available from <http://bit.ly/1pyB58b>.

¹¹ “Merkel bezeichnet IS-Terror als Völkermord”. Die Welt. 27th August 2014. Available from <http://bit.ly/1pyCbkl>.

¹² “Remarks at the Security Council Open Debate on Victims of Attacks and Abuses on Ethnic or Religious Grounds in the Middle East”. 7419th meeting of the Security Council. United Nations. 27th March 2015. Ref. S/PV.7419. Available from <http://bit.ly/21z2hgci>. See also “Special Session of the UN Human Rights Council on the human rights situation in Iraq”. United Nations. 1st September 2014. Available from <http://bit.ly/1pyCyLL>.

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Pervenche Bérés

Group of the Progressive Alliance of Socialists & Democrats

Izaskun Bilbao Barandica

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Malin Björk

Confederal Group of the European United Left/Nordic Green Left

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Group of the Alliance of Liberals and Democrats for Europe

Jean-Marie Cavada

Group of the Alliance of Liberals and Democrats for Europe

Nessa Childers

Group of the Progressive Alliance of Socialists & Democrats

Seb Dance

Group of the Progressive Alliance of Socialists & Democrats

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Eugen Freund
Group of the Progressive Alliance of Socialists & Democrats

Kinga Gál
Group of the European People's Party

Elena Gentile
Group of the Progressive Alliance of Socialists & Democrats

María Teresa Giménez Barbat
Group of the Alliance of Liberals and Democrats for Europe

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Group of the Alliance of Liberals and Democrats for Europe

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Group of the Progressive Alliance of Socialists & Democrats

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Group of the European People's Party

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Group of the European People's Party

Tunne Kelam
Group of the European People's Party

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Group of the Progressive Alliance of Socialists & Democrats

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Group of the Progressive Alliance of Socialists & Democrats

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Group of the European People's Party

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Group of the Progressive Alliance of Socialists & Democrats

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Group of the European People's Party

Louis-Joseph Manscour
Group of the Progressive Alliance of Socialists & Democrats

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Group of the Alliance of Liberals and Democrats for Europe

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Group of the Progressive Alliance of Socialists & Democrats

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Group of the Progressive Alliance of Socialists & Democrats

Costas Mavrides
Group of the Progressive Alliance of Socialists & Democrats

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Group of the Alliance of Liberals and Democrats for Europe

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Group of the European People's Party

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Group of the European People's Party

Luigi Morgano
Group of the Progressive Alliance of Socialists & Democrats

Javier Nart
Group of the Alliance of Liberals and Democrats for Europe

Maria Noichl
Group of the Progressive Alliance of Socialists & Democrats

Urmas Paet
Group of the Alliance of Liberals and Democrats for Europe

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Group of the Progressive Alliance of Socialists & Democrats

Vincent Peillon
Group of the Progressive Alliance of Socialists & Democrats

Marijana Petir
Group of the European People's Party

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Group of the Alliance of Liberals and Democrats for Europe

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Group of the Progressive Alliance of Socialists & Democrats

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Group of the Greens/European Free Alliance

Christine Revault D'allones-Bonnefoy
Group of the Progressive Alliance of Socialists & Democrats

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Group of the Progressive Alliance of Socialists & Democrats

Virginie Rozière
Group of the Progressive Alliance of Socialists & Democrats

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Group of the Greens/European Free Alliance

Jacek Saryusz-Wolski
Group of the European People's Party

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Group of the Alliance of Liberals and Democrats for Europe

Bart Staes

Group of the Greens/European Free Alliance

Davor Ivo Stier

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Tibor Szanyi

Group of the Progressive Alliance of Socialists & Democrats

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Patrizia Toia

Group of the Progressive Alliance of Socialists & Democrats

László Tőkés

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Group of the European People's Party

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Group of the Greens/European Free Alliance

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European Conservatives and Reformists Group

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Group of the Alliance of Liberals and Democrats for Europe

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Group of the Greens/European Free Alliance

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Group of the Alliance of Liberals and Democrats for Europe

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Group of the Alliance of Liberals and Democrats for Europe

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Group of the Progressive Alliance of Socialists & Democrats

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Group of the Progressive Alliance of Socialists & Democrats

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Group of the European People's Party

Anna Záborská

Group of the European People's Party

Boris Zala

Group of the Progressive Alliance of Socialists & Democrats

Milan Zver

Group of the European People's Party