



## U.S. Commission on International Religious Freedom Hearing

### **Ending Genocide: Accountability for Perpetrators**

Opening Remarks as prepared for delivery

**Nadine Maenza, USCIRF Chair**

Good morning and thank you for attending the U.S. Commission on International Religious Freedom and the Tom Lantos Human Rights Commission's joint hearing on *Ending Genocide: Accountability for Perpetrators*. Thanks very much to our distinguished witnesses for joining us today, and thanks also to the Tom Lantos Human Rights Commission and Co-Chairs Rep. Jim McGovern and Rep. Chris Smith for your partnership in this work. Our two commissions have worked very closely together over the years on many issues, including the founding of the Defending Freedoms Project almost ten years ago to increase efforts on behalf of prisoners of conscience around the world. We are very grateful for your leadership

in Congress on international human rights, and I would like to start by giving you the floor to share opening remarks. Rep. McGovern, let's start with you.

The U.S. Commission on International Religious Freedom, or USCIRF, is an independent, bipartisan U.S. government advisory body created by the 1998 International Religious Freedom Act, or IRFA. The Commission uses international standards to monitor the freedom of religion or belief abroad and makes policy recommendations to the U.S. government.

Religious communities around the world continue to be targeted by genocide and other mass atrocities, as seen in Burma, Iraq, Syria, and China. Given the scale of this violence globally, this is USCIRF's second hearing in our series on ending genocide. The first hearing examined how the United States government makes genocide determinations and what more can be done to effectively halt and prevent ongoing mass atrocities against religious groups. Today, we will expand on findings from that hearing and consider how to promote accountability for perpetrators of these horrific crimes.

The 1948 Genocide Convention confers obligations on states to punish the crime of genocide. Criminal prosecutions deter serious human rights abuses, provide

reparations for devastated communities, restore the dignity of survivors, and support broader transitional justice processes that deal with the legacy of conflict.

Yet, many survivors are not able to access justice. In Iraq and Syria, ISIS waged a genocidal campaign in 2014 to commit unfathomable crimes against humanity that targeted Yazidis, Christians, and Shi'a Muslims. While some criminal investigations are ongoing and the United Nations Investigative Team for Accountability of Da'esh/ISIL, known as UNITAD, was established to collect and preserve evidence in Iraq, justice has remained elusive for many of ISIS' victims, including the Yazidi community.

UNITAD's investigation has collected clear and convincing evidence of genocide as a first step towards justice, but now a court is needed to fairly prosecute these crimes. The United Nations has raised concern that domestic trials in Iraq and Syria do not conform with international standards. ISIS members continue to undergo prosecution in European courts under principles of universal jurisdiction, but these trials are limited in number. Without other options for credible trials, the Yazidi community has called for international trials to end the cycle of violence and impunity.

I will now turn to Vice Chair Turkel to further discuss the prosecution of genocide in the international legal system and the importance of documenting ongoing atrocities to support future justice efforts.