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## “The Time to Act Is Now”

*House Subcommittee on Africa, Global Health,  
Global Human Rights & Int’l Organizations  
Chairman Christopher H. Smith  
Hearing on Genocidal Attacks Against Christian and  
Other Religious Minorities in Syria and Iraq  
Excerpts of Remarks  
September 10, 2014*

Good afternoon. We are convening this extremely urgent hearing on the desperate plight of Christians and other religious minorities in Iraq and Syria.

As images of beheaded American journalists James Foley and Steven Sotloff are seared into our consciousness, we would do well to honor their memories by recalling that they saw it as their mission to alert the world to the horrors committed by the fanatical Islamist terrorist group ISIS in Syria and Iraq: Children forced to view crucifixions and beheadings, women bartered, sold and raped, prisoners lined up on their knees to be shot – this is ISIS’ legacy.

Today Christians and other religious minorities, such as Yezidis, Shabaks, and Turkmen Shiites are not just facing a long winter without homes. They are not just hungry and thirsty and wandering from village to village in Northern Iraq and Kurdistan.

They are facing annihilation—genocide—by fanatics who see anyone who does not subscribe to its draconian and violent interpretation of Islam as fair game for enslavement, forced conversion or death.

If the phrase “NEVER AGAIN” is to be more than well moving sentiment we simply give lip service to, then we must be prepared to act when we see genocide unfold before our very eyes.

After the U.S. pulled out of Iraq in March 2011 we left in charge a prime minister hostile to political inclusion of all Iraqis beyond simply Shiites. The Islamic State in Iraq and the Levant, or ISIL—also known as the Islamic State in Iraq and al-Sham, or ISIS—saw an opportunity to exploit Sunni resentment at this treatment, and surged to fill the gap.

We withdrew, they surged.

This is not the “Junior Varsity” team of terrorists, as the President dismissively asserted earlier this year. Deputy Assistant Secretary for Iraq and Iran Brett McGurk has

described ISIL as having “unprecedented” resources in terms of funds, weapons, and personnel.

We have seen what ISIS is doing in Syria, beheading and crucifying Christians and political opponents, taking hostages and kidnapping religious leaders, blowing up churches and mosques, and forcing religious minorities to convert, flee with the clothes on their backs, pay an exorbitant tax for infidels—or die.

When ISIS overran Mosul in June, Mosul’s 35,000 inhabitants not too old or sick fled for their lives. At checkpoints leaving the city, ISIS took the Christians’ wedding rings, money, travel papers, and medicines—even their cars. Families walked carrying their children, pushing wheelchairs with elderly parents, mile after mile into the hot, barren, Nineveh Plain. As ISIS continued to gain territory in July and August, the Christians fled further north, joining Yezidi and many other minorities trying to find safety in the Iraqi Kurdistan Region.

More than 1.7 million people have been displaced in Iraq this year. Many were Christians who fled the brutal Syrian civil war, now on the run again.

Where will they be safe?

Kurdistan, a region of 8.35 million people currently hosts nearly 750,000 refugees. The Kurdish Peshmerga militias are underfunded and under-armed, now that ISIS has captured U.S. heavy weaponry across Iraq. Yet they soldier on.

I have received emails from Bishops and nuns chronicling the dire needs of their flocks who are being “exterminated” and “expelled” from regions their people have occupied for millennia.

The U.S. has in the last few weeks geared-up for the humanitarian crisis. As of September 5, the U.S. had dedicated nearly \$140 million in humanitarian assistance to Iraq—and USAID airlifted more than 60 metric tons of humanitarian aid into Kurdistan’s capital of Erbil.

We need, however, to make sure that aid gets to people who need it most. This means working with religious leaders who are closest to those in need.

We may also need to invest more in our relationship with the Kurdish Regional Government – a regional government which has taken on the aspects of a de facto national government, and one whose brave militia men have stood up against ISIS while members of the Iraqi Armed Forces have folded and fled.

It must also be remarked and remembered with gratitude that the Kurdish Regional Government has extended protection to Christians and other victims of religious persecution. While their record has not been perfect, the Kurds appear to be more tolerant of diversity of thought and belief than many of their neighbors.

But aid alone is not the solution. The US has already spent \$2.4 billion on the Syria humanitarian crisis that rages on.

We need shrewd power—a strategy for action that is in touch with reality on the ground. A strategy born of thinking ahead and preparing in advance for contingencies so that

we are not playing catch-up while the enemy rapes, pillages, kidnaps, massacres—and amasses wealth and weapons.

The reality for religious minorities is that their very lives are at risk as long as ISIS controls territory and continues to gather strength on the ground, drawing funds and fighters from around the globe.

As Pope Francis has noted with regard to this crisis, “where there is unjust aggression... it is licit to stop the unjust aggressor.”

This may indeed require the use of force, but it also requires using other means at our disposal. I have called for the establishment of a Syrian War Crimes Tribunal, and introduced H. Con. Res. 51 to hold all sides accountable for the heinous atrocities they have committed.

H. Con. Res. 51, introduced last September, calls for the creation of an international tribunal that would be more flexible and more efficient than the International Criminal Court to ensure accountability for human rights violations committed by all sides.

With a Herculean diplomatic push by the United States and other interested nations, past success in creating war crimes courts can indeed be prologue. Such a tribunal would also draw upon past experience, creating a justice mechanism robust enough to right the most egregious wrongs, yet nimble enough not to derail chances for peace due to rigidity.

The Foreign Affairs Committee approved H. Con. Res. 51 on April 30th, and I hope this measure will come before the House for a vote at the earliest possible time.

As ISIS does not respect borders, committing atrocities in both Iraq and Syria, the jurisdiction of such a Tribunal could and should be expanded to hold ISIS accountable for its evil acts on either side of the border.

Today the Black Flag of ISIS flies over vast swaths of northern Iraq and even cities such as Fallujah, which we had won at such great cost. Indeed, ISIS says that they intend to see the Black Flag fly over the White House. Where the Black Flag flies, there is death and misery.