



Deploying Global Quick Reaction Teams to Investigate Attacks on International Religious Freedom

Boldline Partnership Accelerator on Religious Freedom

Submission information

1	Organization name	Stichting Commission for International Justice and Accountability (and) CIJA US
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3	Organizational status:	international not-for-profit organization with the registration number 56509839
4	Industry Affiliation:	Law enforcement / criminal investigations
5	Biographies of participants:	Dr. William Wiley (Executive Director): https://www.linkedin.com/in/will-wiley-57a48b7 Nerma Jelacic (Director – External Relations and Management): https://www.linkedin.com/in/nerma-jelacic-11573017 Chris Engels (Director – Investigation and Operations): Annex A
6	Partnership with U.S. Government:	[CONFIDENTIAL: DO NOT PUBLISH WITHOUT PRIOR CONSENT OF CIJA] CIJA has cooperated on criminal investigations and evidence gathering with a number of U.S law enforcement agencies including FBI, Homeland Security and Department of Justice.
7	Stage of partnership business plan:	New idea
8	Signed commitment statement to participate in accelerator program:	Annex B

Problem Statement

A critical barrier to religious freedom exists due to slow and insufficient action to collect and preserve the breadth of available evidence of religiously motivated crimes, to criminal law standards, in order to ensure that accountability, justice and reconciliation can be pursued against those who organize, fund, incite, or directly perpetrate such violations. Religious minorities are frequently targeted during conflict or are themselves the primary subjects of atrocity by State and non-state actors (including terrorist groups). Counter-terrorism is commonly used as a pretext to repress religious freedom or to legitimize violence (e.g. killing, disappearance, sexual violence and enslavement, displacement in Myanmar/ Rohingya; China/Uighur Muslims and Tibetan Buddhists; Syria) while repression by non-state actors including terrorist groups has become increasingly vicious (e.g. Da'esh in Syria and Iraq; Ansar al-Sharia, Al-Qaeda in the Islamic Maghreb, Da'esh in Libya; Boko Haram in Nigeria). Equally, blasphemy or apostasy legislation is used to persecute religious minorities during atrocity or conflict (e.g. Myanmar, South Sudan, Nigeria, Libya, Iraq, Syria).

To ensure that evidence is not destroyed, hidden or discarded, as commonly occurs after large scale violence against religious minorities, Quick Reaction Teams are needed, who can deploy within days, to collect, preserve and document criminal behavior, including cyber evidence, which is often removed within days of perpetration of violence. The Commission for International Justice and Accountability (CIJA) has direct experience of doing just this, in Iraq and Syria, and is eager to globalize its expertise and strengthen local communities' abilities to pursue justice.

Idea

This partnership would establish a Global Quick Response Team (QRT) to support the investigation and prosecution of conflict or atrocity-related attacks against religious minorities perpetrated by State and non-state actors through (i) the collection and preservation of evidence, in line with international standards and best practices; (ii) the identification of those responsible, and related case-building for criminal justice initiatives and (iii) tracking the movements of identified suspects to inform law enforcement agencies when perpetrators are travelling to friendly jurisdictions. The QRT would ensure the preservation of evidence and identification of perpetrators can occur in real-time, removing the considerable obstacles that occur due to situation responsive donor funding, which can impose delays of up to a year. Equally, by focusing on criminal investigation, it is possible to identify perpetrators, which in turn informs law enforcement efforts (e.g. criminal or civil cases, asylum and immigration) and U.S policy, by providing the U.S Ambassador at Large for International Religious Freedom with access to verifiable information.

The QRT can be deployed through two proven operational models: (1) working in cooperation with local authorities (e.g. Kurdish Regional Government and Office of the Prime Minister in Iraq) and (2) conducting undercover investigations itself through investigator networks created from local and international investigators (e.g. Syria). These models have successfully enabled the documentation and identification of senior perpetrators (e.g. persecution of religious minorities in Iraq - notably the Yazidi's - by Da'esh) although they remain ad-hoc and restricted to a small number of areas where religious persecution exists.

Resource Requirements

This Partnership will scale-up proven – albeit ad-hoc – capabilities to investigate criminal acts of state and non-state actors against religious minorities and develop the capacity of local stakeholders/ affected communities to pursue justice.

1. Resources:

- Quick Response Teams and Operational Teams of International Advisers;
- Screened Local Investigators and Analysts;

- Training and Capacity Development of Local teams by International Advisers;
- Travel and Field Operations;
- Evidence Management System;

2. Technical capability

Expansion of digital forensic and social media analysis capability to ensure rapid preservation of evidence shared on social media and other online forums by perpetrators during the organization and perpetration of attacks; purchase of analytical and data management software, all in line with law enforcement standards, pursuant to Federal standards already agreed with the FBI and DoJ.

3. Stakeholder buy-in

CIJA has a proven track-record in responding to the calls of effected religious communities and in building strong stakeholder partnerships for criminal standard investigations. CIJA is often the only investigative body capable of operating in these environments. Weak governments that either want to prosecute those responsible or who feel the pressure from actors such as the U.S Ambassador At Large for International Religious Freedom also engage with CIJA because they realize we are the quickest solution to their immediate needs to capture evidence before it is too late.

4. Legal requirements

CIJA conducts its work according to the highest international standards alongside a thorough understanding of the national legal framework of each country it operates in.

Best Potential Partners

CIJA is as an independent investigative body with the competence to investigate egregious violations of international and domestic law, incorporating the highest standards of international best practice in its investigative, analytical and legal work. Notably CIJA has built criminal cases against IS perpetrators for future prosecution before international, hybrid, or domestic courts, and has responded to over 500 requests for assistance from national, regional and international law enforcement agencies in 2017 alone.

The high impact program will be achieved through the following partnerships:

Tech companies and groups: to develop early warning systems and strengthen multi-lingual open source / social medial collection in real time and preserve evidence to criminal law standards, to provide sustainable long-term impact in relation to victims and perpetrators.

Credible local groups and collectives: those with a proven record of documentation or the trust of affected communities will be partnered with to ensure sustainable action is undertaken;

International partners: such as credible law enforcement agencies and policy makers with the capability and willingness to pursue justice and accountability for perpetrators (e.g. criminal or civil cases, immigration and asylum procedures, sanctions lists).

Ideal End State

1. **Collect and preserve evidence to a criminal law standard**, in the immediate aftermath, before it is destroyed, in areas where violations against religious minorities is most critical and overlooked. Evidence concerning those responsible for attacks on religious freedom, where it is available, is preserved and analyzed in a manner in accordance with international standards, ensuring its future admissibility at trial;
2. **Crime and Evidence Analysis:** identify and build case-ready evidence of the criminal responsibility of perpetrators, using CIJA's customized Evidence Management System;

3. **Evidence Dossiers and Perpetrator Tracking:** aggregate evidence into coherent evidence dossiers, for immediate use by law enforcement agencies (e.g. criminal cases, civil cases, asylum cases) as sanctions lists or other justice and accountability measures;
4. **Evidence Archives:** for transitional or other justice measures, US law enforcement agencies and other countries and to inform US policy;
5. **Strengthened investigative capacity by trusted local actors or institutions**

Annex A: Biographies of Participants (Key Personnel)

Chris Engels, Deputy Director, Head of Operations

Chris Engels is a U.S Lawyer with over 15 years of international experience focusing on international criminal law and criminal justice reform. He is currently Director for Investigations and Operations CIJA, in which role he oversees the organization's criminal investigations. His past posts include Head of Section for the US DOS-INL funded Justice Sector Support Project-Afghanistan, where he also served as Co-Chair of the Criminal Law Committee, which advised the Afghan Government on new legislation including the Criminal Procedure Code, Counter-Terrorism Law, Anti-Corruption and Anti-Trafficking Law. In that post he worked closely with US and coalition forces on justice issues. Also in Afghanistan, he supported war crimes investigations as a mentor to a team of Afghan lawyers within the government's Independent Human Rights Commission investigating crimes committed between the communist period and the fall of the Taliban. He also served as Director of the Criminal Defense Section of the Court of Bosnia and Herzegovina. Similarly, he worked as acting Deputy Head of the Defence Section at the Khmer Rouge Tribunal. He was also Head of Rule of Law for the Organization for Security and Cooperation in Europe Mission to Bosnia and Herzegovina where he provided technical support to relevant governmental institutions on war crimes, hate crimes, and countering violent extremism.

Annex B: signed commitment statement to participate in accelerator program



21 August 2018

On behalf of the Commission for International Justice and Accountability (CIJA), I hereby confirm our commitment to participate in the Accelerator Program, in or around Washington DC, in October, should CIJA be selected to participate.

A handwritten signature in black ink, appearing to be 'CE', is written over the printed name and title of Mr. Chris Engels.

Mr Chris Engels
Director of Operations and Investigations