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Fourth report of the Secretary-General pursuant to paragraph 4 of Security Council resolution 2107 (2013)

I. Introduction

1. The present report is submitted pursuant to paragraph 4 of Security Council resolution 2107 (2013) and covers developments pertaining to the issues of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, since the issuance of my previous report, dated 8 July 2014 (S/2014/480).

2. The reporting period witnessed steady progress in the enhancement of bilateral relations between Iraq and Kuwait. In July, Kuwait contributed \$10 million to the United Nations humanitarian response in Iraq. The formation of the new Government in Iraq in September was warmly welcomed by Kuwait. Also in September, Kuwait participated in a number of international and regional initiatives aimed at supporting Iraq in its efforts to counter the threat of Islamic State in Iraq and the Levant, including the meeting hosted by Saudi Arabia, held in Jeddah on 11 September, and the International Conference on Peace and Security in Iraq, jointly hosted by France and Iraq, held in Paris on 15 September. In addition, on 19 October, the Deputy Prime Minister and Minister for Foreign Affairs of Kuwait, Sabah Khaled Al-Hamad Al-Sabah, visited Iraq as part of a delegation of the League of Arab States to express solidarity with Iraq in its fight against terrorism. On 23 October, a parliamentary delegation led by the Speaker of the Council of Representatives of Iraq, Salim al-Jabouri, concluded a visit to Kuwait aimed at discussing ways to develop bilateral parliamentary relations and strengthen security cooperation.

3. On 25 September, on the margins of the general debate of the General Assembly in New York, the Prime Minister of Iraq, Haider al-Abadi, met the Prime Minister of Kuwait, Jaber al-Mubarak, and reiterated the desire of Iraq to continue building positive relations with Kuwait. During the reporting period, the Government of Iraq showed that it was resolved to obtain progress on the dossier by continuing to search for missing Kuwaiti and third-country nationals, in spite of a rapid deterioration in the security situation across the country.

4. A fourth joint ministerial meeting, expected to take place in December 2014, will provide an occasion to expand and deepen Iraq-Kuwait ties in the areas of culture, trade, commerce and investment.



II. Recent activities with regard to the repatriation and return of all Kuwaiti and third-country nationals, or their remains

5. During the reporting period, my Deputy Special Representative for Political Affairs continued to carry out his responsibilities under Security Council resolution 2107 (2013). In Iraq, he met the Minister for Human Rights, the head of the interministerial committee on missing Kuwaiti property, including the national archives, the head of the Iraq programme of the International Commission on Missing Persons and the Kurdistan Regional Government authorities to assess progress and explore new avenues to advance the dossier.

6. From 16 to 18 September, my Deputy Special Representative undertook, in accordance with established practice, a quarterly visit to Kuwait. During the visit, he met the members of the tripartite mechanism on the margins of a meeting of the Technical Subcommittee. He also met the Chairman and members of the Kuwaiti National Committee for Missing Persons and Prisoners of War Affairs, as well as the head of the International Committee of the Red Cross regional delegation to the Cooperation Council for the Arab States of the Gulf, the Ambassador of Iraq, the Ambassador of the United States of America, the Ambassador of the United Kingdom of Great Britain and Northern Ireland and the Ambassador of France. The ambassadors expressed appreciation for the role of the United Nations Assistance Mission for Iraq (UNAMI) and pledged their countries' support for its activities. On 22 October, the Tripartite Commission formally accepted the offer of UNAMI to serve as an observer to the tripartite mechanism.

7. The National Committee for Missing Persons and Prisoners of War Affairs welcomed my Deputy Special Representative's advocacy for the Iraqi side to adopt scientific and technological approaches to the exploration of identified grave sites while also pursuing leads from witnesses and informants with regard to new sites. The Committee expressed appreciation for the efforts made by Iraq to advance the dossier despite the ongoing security crisis in the country and the fact that tangible results had not yet been produced. The Chairman of the Committee welcomed the decision of Iraq to avail itself of its universities' expertise in conducting geological scans of grave sites, as well as its campaigns aimed at encouraging new witnesses to cooperate.

8. On 5 August, the Iraqi interministerial committee on missing Kuwaiti nationals convened under the auspices of the Ministry of Human Rights to assess progress in the search for information on burial sites and in contacting witnesses and informants. It was agreed that the Committee would adhere to its 2014 workplan and that the Iraqi delegation would bring a witness to the Technical Subcommittee meeting to be held in Kuwait in September.

9. On 7 August, officials of the Ministry of Human Rights met with academics from Iraqi universities to discuss the geological scanning of grave sites and the possibility of using new technologies to trace missing persons. Following the universities' recommendation that ground-penetrating radar and topographic techniques be used for exploration missions, the Ministry expressed its readiness to start working with specialized teams trained by the Ministry of Human Rights and the Medico-Legal Institute, once a formal coordination arrangement had been established with the Ministry of Education.

10. From 9 to 21 August, a specialized team of the Ministry of Human Rights carried out an exploratory and excavation operation in the Arabian Gulf Academy in

Basra governorate, in the course of which 336 experimental trenches were dug. No human remains were found at the site during the operation.

11. During the reporting period, the Ministry of Human Rights remained in contact with an Iraqi witness claiming to have knowledge of the burial of Kuwaiti military personnel near the Kuwait naval base. As a result of the Ministry's efforts, the witness accompanied the Iraqi delegation in September to the Technical Subcommittee meeting in Kuwait. A reconnaissance mission to the site was conducted on 15 and 16 September with the participation of the Iraqi and Kuwaiti sides, as well as the International Committee of the Red Cross. The witness identified the location where four Kuwaiti military personnel had presumably been buried; the site was dug up, but nothing was found. That was the second time that a witness travelled to Kuwait for such a purpose (the first was in 2009). It represents a positive precedent that could encourage other witnesses to travel to Kuwait.

12. On 1 September, the Ministry of Foreign Affairs of Iraq met two new witnesses claiming to have knowledge of burial sites inside Kuwait. One of the witnesses, who claimed to have information on an alleged burial site containing between 30 and 40 human remains near the Kuwait-Saudi Arabia border, reached out to UNAMI and was put in touch with the Ministry of Foreign Affairs on 28 May. The witness is expected to travel to Kuwait in November with the Iraqi delegation in order to accompany the Technical Subcommittee on a reconnaissance mission to the alleged burial site.

13. In response to my Deputy Special Representative's emphasis on the importance of outreach efforts to encourage potential witnesses and informants to come forward, both inside Iraq and in third countries, the Ministry of Foreign Affairs informed UNAMI of its plans to run advertisements every three months in local daily newspapers on missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives. These will include the telephone numbers of both the Ministry of Foreign Affairs and the Embassy of Kuwait in Iraq, as well as assurances of anonymity and legal protection.

14. In an effort to explore additional avenues to make progress on delivering the mandated tasks, my Deputy Special Representative facilitated contacts between the National Committee for Missing Persons and Prisoners of War Affairs and the International Commission on Missing Persons, which is already supporting the Government of Iraq in addressing large-scale disappearances. My Deputy Special Representative has urged both the Minister for Human Rights and the Ministry of Foreign Affairs to consider and implement projects designed to encourage the use of new technologies to help identify mass graves.

III. Recent activities with regard to the return of Kuwaiti property

15. On 29 September, my Deputy Special Representative met the head of the Iraqi interministerial committee on missing Kuwaiti property, including the national archives, and proposed that the Ministry of Foreign Affairs of Iraq run a special information campaign exclusively for the Kuwaiti national archives. My Deputy Special Representative emphasized the need to maintain the existing momentum on the property dossier and to continue to convene the Joint Property Committee every six months, as agreed. He suggested that the Joint Property Committee should aim to meet in December, on the margins of the Joint Ministerial Committee meeting.

Furthermore, my Deputy Special Representative reiterated his earlier suggestion that the archives of the different ministries be searched with the assistance of student volunteers under those ministries' professional guidance.

IV. Observations

16. I am pleased that the ties between Iraq and Kuwait have progressively improved and that the National Committee for Missing Persons and Prisoners of War Affairs is encouraged by the efforts made by Iraq to achieve progress regarding the issue of missing Kuwaiti persons and property. I hope that the new Government of Iraq will continue to expand bilateral relations with Kuwait and enhance cooperation with relevant authorities in search of missing Kuwaiti persons and property.

17. I remain concerned about the lack of tangible results in the search for missing Kuwaiti persons and property, including the national archives. I am nevertheless encouraged by the fact that a second Iraqi witness has travelled to Kuwait and that a third will follow suit and travel there in November, particularly after a long period of time elapsed since the first witness travelled to the country in 2009. I hope that the intensified outreach campaign will attract more informants and witnesses able to help advance the search.

18. I am pleased that UNAMI has been able to assist Iraqi efforts and that the Iraqi authorities have provided their full support and been receptive to its suggestions. I urge the Government of Iraq to promptly take advantage of the avenues that have recently opened up, such as assistance from Iraqi academics and other new expertise to enhance government capacity in this area and to make use of new methods for the search of remains, including new forensic and geological exploration techniques and infrastructure. According to the International Commission on Missing Persons, 300,000 persons remain missing in Iraq, most of them Iraqi nationals. It is incumbent upon us to do everything within our means to alleviate the pain and grief of the families of the missing persons. UNAMI, through my Special Representative for Iraq and my Deputy Special Representative for Political Affairs, will continue to provide its full assistance to promote, support and facilitate Iraqi efforts.

19. I wish to commend the work of the International Committee of the Red Cross in addressing the issue of missing Kuwaiti and third-country nationals. I am pleased that UNAMI has been granted observer status in the Tripartite Commission and its Technical Subcommittee. UNAMI understands the importance of this gesture and is able and ready to play its mandated role in full measure.

20. I note with regret and disappointment that no evidence or information has emerged so far with regard to the national archives of Kuwait. I hope that a concerted campaign targeted at attracting information on the national archives will unearth new leads. I urge the Iraqi interministerial committee on missing Kuwaiti property, including the national archives, to consider the suggestions of UNAMI on running special information campaigns exclusively for the archives and on using student volunteers to conduct a careful search of the archives of the different ministries. I encourage the committee to work closely with its Kuwaiti counterparts and UNAMI to find new ways of achieving progress on this issue.