



## Security Council

Distr.: General  
23 June 2020

Original: English and French

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### **Letter dated 17 June 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council**

I have the honour to enclose herewith a copy of the briefing provided by Mr. Karim Asad Ahmad Khan, Special Adviser and Head of the Investigative Team established pursuant to Security Council resolution 2379 (2017), in connection with the video-teleconference on “Threats to international peace and security” convened on Monday, 15 June 2020.

In accordance with the procedure set out in the letter dated 7 May 2020 from the President of the Security Council addressed to the Permanent Representatives of the members of the Security Council (S/2020/372), which was agreed in light of the extraordinary circumstances caused by the coronavirus disease pandemic, the briefing and statements will be issued as an official document of the Security Council.

*(Signed)* Nicolas de Rivière  
President of the Security Council



**Annex I****Briefing by the Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant, Karim Asad Ahmad Khan**

I am honoured to be able to address the Council today to present the fourth report (see S/2020/386) on the activities of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD).

Last week, on 10 June, we marked the sixth anniversary of the occupation of Mosul by Da'esh — six years since they misused a flag proclaiming the unity of God to spread intolerance, division and hatred in that ancient city and the large swathes of territory that fell under their foul control.

It was my honour, in March this year, to witness an example of how the true spirit of Mosul, the true spirit of Iraq, had been able to re-emerge amidst the legacy of rubble left behind by Da'esh. At Mosul University, attending a small community event, I was led to a hall in which over 300 members of the local community had gathered upon hearing of our presence. Addressing the group and thanking them for attending, I indicated that one of our investigators, part of our dedicated Mosul Investigation Unit, was present in the corner of the room.

I witnessed one after another of those present stand up and walk towards our investigator, many removing documents and photos from their bags as they approached. The crowds grew, as individual after individual came forward to provide their details, documents and photos of missing family members, hoping to contribute to the work of our Team in holding the Islamic State in Iraq and the Levant (ISIL) accountable for the crimes committed against their husbands, wives and children.

We left the University that day with the details of 200 people willing to provide evidence and come forward with their accounts, with many waiting for hours, after dark, to give their names and recount the stories of their suffering. As we left, the Dean of the University said something to me that underlined the weight of responsibility on our Team, and on us collectively, as we seek to implement the mandate the Council has provided. He said: "This is hope."

The clear yearning for justice demonstrated at Mosul University that day in March is reflected every day in our engagement with survivors and impacted families across Iraq. The promise of action by the international community through resolution 2379 (2017), in partnership with the Government of Iraq, has given rise to hope and legitimate expectations among all communities that ISIL may be held accountable through the presentation of international-standard evidence in trials that will stand the test of time.

Over the past six months, the Team has drawn on this sense of common purpose and energy in order to address the serious challenges that have marked this period, including, of course, the most pressing challenge faced by the entire international community in the form of the coronavirus disease. Working with creativity and focus, we have ensured that momentum built in our investigative work has not been lost.

I am pleased to inform the Council that this period has been marked by significant progress in the identification and collection of new sources of evidentiary material which, if fully harnessed, have the potential to mark a paradigm shift in the prosecution of ISIL members for the crimes they have committed in Iraq.

Our progress has continued to be built on two key pillars: the international-standard expertise and technological infrastructure put in place by our Team in Iraq, and our close collaboration with national and local authorities across the country. Innovation and partnership remain the keystones of our approach, as reflected in the key advances in our evidence-collection activities.

Through close cooperation with the Iraqi judiciary, the Team has been able to obtain over 2 million call data records from Iraqi cell phone service providers relevant to our investigations into crimes committed against the Yazidi community in Sinjar, with such data also obtained in connection with investigations into the mass killings carried out by Da'esh against unarmed air cadets in Tikrit. This information has already been used to geolocate persons of interest at the time of key crimes under investigation and will allow us, together with other evidence collected, to retrace the movements of additional suspects and build an incontrovertible picture of events at major crime scenes.

With further support from the Iraqi judiciary, we have also secured the agreement of Iraqi cell phone service providers to preserve all call data records from 2014 relevant to our investigations, preserving a potentially crucial source of evidence on ISIL crimes.

Through collaboration with the Ministry of Defence, we have gained access to an extensive range of digital evidence extracted from mobile phones, laptops and other devices seized from ISIL. The forensic extraction of this data has uncovered information on the inner workings of Da'esh in Mosul, including their internal administrative infrastructure, payroll systems and videos detailing their activities during the period of time covered by our investigations.

In our forensic work, the use of three-dimensional laser scanning and modelling at key crime scenes in Iraq, including mass grave sites in Sinjar and Mosul, has allowed us to develop virtual reality frameworks which will give survivors and witnesses, whether in Baghdad, Bartella or Berlin, the ability to re-engage with their memories of events and provide detailed new evidence to the Team. To further empower impacted communities, the Team has also developed a mobile reporting application which will allow those impacted by ISIL crimes to securely provide leads and other information to the Team, thereby strengthening the ability of survivors to directly support accountability efforts.

This spirit of technological innovation is further reflected in the evidence management system recently implemented by the Team. Coded in-house by UNITAD experts, this system responds to the specific demands of our field-based activities, allowing investigators to securely log images and geolocations and to effect digital signature using their mobile devices. In combination with our updated e-discovery tools, the Team is now able to rapidly connect and structure evidentiary items across investigative priorities, facilitating analytical work and allowing for prompt responses to enquiries from national authorities.

Based on these advances, the Team has moved forward a number of its lines of investigation into a phase of evidence consolidation and legal analysis.

Progress made in our investigations into crimes committed against the Yazidi community in Sinjar has led to the identification of a total of 344 alleged Da'esh perpetrators across 16 key crime scenes. Evidence collected from mass grave excavations, testimony collected from survivors, witnesses and detainees, and an increased digital and documentary evidence base have supported the development of in-depth case files in relation to our priority suspects.

Our investigations into the mass killings of unarmed cadets and military personnel of the Tikrit Air Academy, the sixth anniversary of which we mark today, have benefited from extensive support from the national judicial commission established to investigate these crimes. At this stage, I can confirm to the Council that the Team has identified at least seven categories of crimes falling within its mandate for which Da'esh suspects could potentially be prosecuted.

In the context of our investigations into crimes committed in Mosul, two new mass grave excavations were commenced in March this year, in cooperation with Iraqi and Kurdistan Regional Government authorities, and will form a key pillar of investigations in the coming months.

In addition to these case-building activities, the Team has prioritized the development of comprehensive dossiers outlining the legal characterization of crimes committed against communities in Iraq by Da'esh. It is my intention to provide a comprehensive assessment to the Council in this regard in my next briefing.

In parallel with progress on our existing lines of investigation, I am pleased to inform the Council that the Team has been able to expand its investigative strategy to address crimes committed by Da'esh against all communities in Iraq, including those carried out against Christian, Kaka'i, Shabak, Sunni and Turkmen communities. Through this widening of our work, supported by the establishment of two new field investigation units, we will honour our commitment to ensuring there is no hierarchy of victim in our investigations.

Since my appointment almost two years ago, I have repeatedly emphasized that the Government of Iraq should be applauded for the foresight, spirit of cooperation and commitment to justice that it demonstrated in requesting the Council to establish our Team. I continue to be strongly encouraged by their steadfast support, as reflected in the extensive collaboration between national authorities and our investigators, forensic experts and security team in Iraq. Following the confirmation of Prime Minister Mustafa Al-Khadimi and his Cabinet, I am confident that spirit of cooperation will continue to drive, and indeed accelerate, our collective progress. In my conversation with Foreign Minister Fuad Hussein earlier today, I was delighted that our discussions reflected a unity of vision as to how justice may be delivered through our provision of assistance to the Government of Iraq.

The partnership of the national coordinating committee appointed by the Government of Iraq has also been essential in the achievement of a significant milestone since my last briefing: the appointment of the initial group of national criminal law experts to the Team, in accordance with our terms of reference. This marks a turning point by significantly strengthening our ability to ensure our work responds to the specificities of the Iraqi domestic criminal framework and is reflective of the needs of communities across Iraq.

Cooperation with the national coordinating committee has also been central to the implementation of a major evidence-digitization project launched by the Investigative Team this March, through which we will support national authorities and those of the Kurdistan Regional Government in digitizing hundreds of thousands of case-files, documents and digital evidentiary items connected with ISIL crimes.

I have also continued to be grateful for the strong support of the Kurdistan Regional Government. I was pleased to speak with the Kurdistan Regional President this morning, when he underlined his personal commitment to ensuring the continued full support of all regional authorities for the work of the Team.

Of course, the promise made to survivors through resolution 2379 (2017) is not made good solely through the collection and preservation of evidence. While an

important endeavour, it is not sufficient for us to simply create an archive, a historic record of the ISIL crimes inflicted on the population of Iraq. Our commitment to the communities of Iraq will be satisfied only when justice is delivered in court, when the survivors of ISIL atrocities are able to see their abusers held accountable in accordance with the rule of law based on incontrovertible evidence collected in line with international standards.

It is with this common commitment in mind that I have continued to work with the Government of Iraq so as to strengthen the channels through which evidence collected by our Team can be used as a basis for the delivery of justice. To this end, I was pleased to present a strategy paper to the Government of Iraq in April this year laying out a path for the holding of trials in Iraq of ISIL members for war crimes, crimes against humanity or genocide, in a manner consistent with the terms of reference of the Team.

I was greatly encouraged by my recent meetings with the President of Iraq, Mr. Barham Salih, Chief Justice Faiq Zidan and senior members of the Government of Iraq in which continued support was underlined for the passing of legislation, initiated by the President and currently before the Council of Representatives, which would allow for the prosecution in Iraq of these crimes.

As reflected in my report, we have also continued to actively engage with national authorities globally in order to strengthen ongoing investigations and prosecutions in other Member States.

The spirit of partnership reflected in my report has also continued to extend to our engagement with all parts of Iraqi society. I have made it a priority, in particular, to work in common cause with religious leaders and actors in pursuit of accountability. During my meetings with the leadership of the Catholic, Christian Orthodox, Shia, Sunni and Yazidi faiths in recent months, I have underlined my commitment to working closely with their communities to ensure that the crimes committed by ISIL against them are properly investigated and that those responsible are brought to justice.

I was therefore delighted in March this year, together with Under-Secretary-General Adama Dieng, to welcome the adoption of the landmark Interfaith Statement on the Victims and Survivors of ISIL. Through this historic step, the leaders of all major faiths in Iraq came together to collectively repudiate the actions of ISIL as contrary to the principles of all faiths and underline their joint commitment to ensuring that those responsible are held accountable before national courts.

I was particularly encouraged that through the Statement, Iraqi religious leaders issued a common call for action to ensure that survivors of sexual and gender-based violence, as well as those children affected by ISIL crimes, do not suffer from stigmatization as a result of their experiences, and also underlined their unanimous support for the work of the Team in accordance with the mandate provided by the Council. I look forward to building on the momentum generated by the Statement in the coming months in order to strengthen the delivery of justice for the survivors among all communities in Iraq.

Further reflecting our commitment to engaging all communities and stakeholders in our work, I was pleased to host roundtable discussions earlier this month with both Iraqi and international non-governmental organizations, with a total of over 50 organizations participating. I was personally delighted with the positive nature and outcomes of these discussions and I underlined my commitment that these meetings will serve as the starting point for a wider and ongoing dialogue with non-governmental organizations and survivor groups in the form of a periodic dialogue forum.

Allow me to conclude today by returning to the optimism and expectation of those students, families, teachers and other community members that waited late into the evening this March to speak with our Team at Mosul University. These were the words of the Dean that evening: “This is hope”. I would ask all of us to reflect on both the encouragement and deep sense of responsibility inherent in those words.

In the 20 months since our arrival in Iraq, real progress has been made. The recent breakthroughs in the identification and exploitation of new evidentiary sources have cleared the path to making good on our promise to these communities. I am also grateful for the support of all members of the Council and the broader membership of the United Nations to the Team, whether financial or through expert personnel, which will continue to be essential in supporting our work.

But we must not allow our focus to shift. It is essential that we continue to demonstrate the same urgency of action that is being demanded by survivors in Mosul, Baghdad, Sinjar, the Ninewa plains and elsewhere across Iraq. As the Team now seeks to resume its field-based investigations, in cooperation with the Iraqi authorities, it is this courageous hope and legitimate expectation of all survivors that will continue to drive us forward.

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