



Security Council

Seventy-eighth year

9341st meeting

Wednesday, 7 June 2023, 10 a.m.

New York

Provisional

President: Mr. Abushahab (United Arab Emirates)

Members:

Albania	Mr. Spasse
Brazil	Mr. De Almeida Filho
China	Mr. Geng Shuang
Ecuador	Mr. Pérez Loose
France	Mrs. Dime Labille
Gabon	Mrs. Onanga
Ghana	Ms. Oppong-Ntiri
Japan	Mrs. Shino
Malta	Ms. Gatt
Mozambique	Mr. Fernandes
Russian Federation	Mr. Leonidchenko
Switzerland	Mrs. Chanda
United Kingdom of Great Britain and Northern Ireland . .	Mr. Eckersley
United States of America	Mr. DeLaurentis

Agenda

Threats to international peace and security

Letter dated 22 May 2023 from 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 addressed to the President of the Security Council (S/2023/367)

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The meeting was called to order at 10.05 a.m.

Expression of sympathy in commemoration of the peacekeepers killed in the attack on the African Union Transition Mission in Somalia

The President (*spoke in Arabic*): On behalf of the members of the Security Council, I would like to condemn in the strongest terms the heinous attack perpetrated on 26 May against the African Union Transition Mission in Somalia (ATMIS), which claimed the lives of more than 50 Ugandan peacekeepers. The members of the Security Council convey their deepest condolences to the families of the victims, the Government and the people of Uganda and ATMIS. The peacekeepers were operating under a Security Council mandate in order to provide a more secure future for the people of Somalia. We commemorate their ultimate sacrifice in the cause of peace. I would therefore like to ask all present in the Chamber to stand and join me in observing a minute of silence in solemn commemoration of the victims.

The members of the Security Council observed a minute of silence.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security

Letter dated 22 May 2023 from 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 addressed to the President of the Security Council (S/2023/367)

The President (*spoke in Arabic*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Iraq to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Christian Ritscher, 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, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2023/367, which contains the text of a letter dated 22 May 2023 from 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 addressed to the President of the Security Council.

I now give the floor to Mr. Ritscher.

Mr. Ritscher: I am honoured to present the tenth report (see S/2023/367) of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) and to inform the Council about the activities of the Investigative Team. I am presenting the tenth report while also highlighting the fact that it has been five years since UNITAD, established at the request of Iraq, began its work. As an international team with a unique mandate to investigate the horrific crimes of the Islamic State in Iraq and the Levant (ISIL), UNITAD works in cooperation with national authorities while promoting accountability for the crimes committed by ISIL throughout the world.

Today we should pause for a moment and take stock of the progressive implementation of UNITAD's mandate. Today the commitment of the Iraqi Government, in partnership with UNITAD, to advance the fight against impunity, seek justice on behalf of victims and survivors, most of whom are Iraqis, and address the remaining threat posed by ISIL is stronger than ever. Not long after the Council unanimously adopted resolution 2379 (2017), a small Team made up of fewer than 10 people started working to advance the UNITAD mandate. That small Team has grown to about 150 United Nations staff members, together with approximately 60 contractors and consultants, all working with dedication and professionalism to achieve the goals of the Team.

UNITAD now has eight specialized investigative units, has established a witness-protection and -support system, has set up a state-of-the-art forensic laboratory, has established a specialized unit to assist with the mass-grave exhumation campaigns and in the identification of human remains and has built up a team that supports the digitization of millions of documents, which are now in the possession of the Iraqi judiciary. UNITAD has constantly been developing and readjusting strategies to improve its investigative work and the collection of evidence, which is necessary to hold perpetrators

accountable for the most heinous crimes codified under international criminal law. UNITAD is committed to supporting the efforts of our Iraqi counterparts towards achieving the common goal of holding ISIL perpetrators accountable through evidence-based trials, which deal with their brutal attacks against all communities in Iraq, its people and the country itself for international crimes, not just for their membership in a terrorist organization. In perpetrating their crimes in Iraq, ISIL members focused on their victims, and the justice process should do the same.

Over the past reporting period, my Team has continued to expand and develop, through professional investigative work, pioneering criminal knowledge about ISIL and addressing the concerns and considerations of each victim group in Iraqi society. I have personally continued to engage with religious and tribal leaders, representatives of affected communities and survivors of ISIL crimes. And I have been impressed by the support given to my Team by the affected communities, especially the ones I recently visited in Taza Khurmatu, Hit and Ramadi. I am also grateful that UNITAD is able to work closely with all affected communities and that my Team's work is founded on openness and trust. While in Najaf, I was deeply touched by the wise words of His Eminence Grand Ayatollah Sayyid Ali Al-Sistani, who said that all ISIL victims matter equally, with no hierarchy. That same principle is the foundation of UNITAD's work.

We must not forget that the survivors of ISIL international crimes are still deeply affected. I saw that first-hand when I visited Taza Khurmatu earlier this year, while the town marked the anniversary of the not-so-widely-known ISIL chemical attack against the population residing there and their agricultural land. On 8 March 2016, ISIL weaponized several chemical agents and deployed them in chemical rockets and mortars, as well as improvised explosive devices, in the vicinity of Taza Khurmatu. Over the past months, I have prioritized and intensified that line of inquiry into ISIL crimes. My Team's ongoing investigation has provided its specialized insight and analysis on the munitions, remnants and materials that were recovered. Significant volumes of battlefield evidence, including ISIL payroll records and correspondence, were discovered, enabling the Team to identify persons of interest and establish links to possible senior ISIL members. UNITAD has produced a case assessment on the development and use of chemical weapons by ISIL,

which will be further detailed during a special event organized here at Headquarters, tomorrow, 8 June, to be co-hosted by UNITAD, the Permanent Mission of Iraq and the Permanent Mission of India.

As Council members will have read in the tenth report (see S/2023/367), my Team has continued to advance its investigative work covering ISIL crimes against all affected communities and producing the full picture to expose the breadth of those crimes. That includes progress in our case-assessment reports on gender-based crimes, crimes against children and crimes committed against the Sunni population in Al-Anbar and against the Christian communities in Nineveh. Our investigations into ISIL attacks against the Yazidi and the Shia communities continue. Case briefs have also been enhanced with additional evidence and analyses. The investigation on the destruction of Iraqis' rich cultural heritage is another example of how UNITAD has shed light upon the full range of international crimes committed by ruthless perpetrators motivated by a criminal ideology.

It has been five years since UNITAD commenced its work on the ground in Iraq. For us, it is absolutely clear that only if we work side by side with Iraqi authorities, in particular with our counterparts in the Iraqi judiciary, will UNITAD be successful. I think that a legitimate question is: what constitutes success? As a prosecutor leading an investigative team, I see the purpose of UNITAD's work in Iraq as not simply to establish a record for ISIL crimes, but to hold ISIL members who committed such heinous international crimes accountable through evidence-based trials and before competent courts. But what do we need in order to achieve that?

I believe three elements are required: competent courts, admissible and reliable evidence and an appropriate legal framework.

First, competent courts is the easiest element of the three. As I explained earlier, my Team already works closely with competent investigative judges in Iraq, who fully support our investigations. In turn, UNITAD is enhancing their capacities and ensuring that Iraqi courts are ready to hold ISIL perpetrators accountable for their international crimes when the time comes.

Secondly, with regard to admissible and reliable evidence, there is a lot of discussion on the evidence pertaining to ISIL crimes. I can assure the Council that there is no shortage of evidence of ISIL crimes in Iraq,

as ISIL was a large-scale bureaucracy that documented and maintained a State-like administrative system. The main challenge is: what should be done with that evidence? How can the significant volume of documents and the sheer amount of information be dealt with? And most important, how should the integral chain of custody for such evidence be maintained? What we aim to do is to ensure that the evidence is admissible before any competent court, whether in Iraq or in other States where prosecutions of ISIL members for international crimes are taking place. Let me be very clear: UNITAD is assisting the Iraqi judiciary to organize and access considerable quantities of ISIL records and battlefield evidence, notably via a megadigitization project. Led by my Team, digitization operations have been launched at five courts in Iraq, and two additional Courts will follow our lead in the coming months.

As of now, an impressive amount of 8 million pages of ISIL documents from the holdings of the Iraqi authorities, including the Kurdish authorities, has been digitized. The recognized result of that is the ease with which members of the Iraqi judiciary can now make use of their holdings. Senior Iraqi judges have informed me that their response time in relation to case files and requests for information have significantly improved, signalling lasting change due to those innovative efforts. As a next step, UNITAD is establishing a central archive, which will be the unified repository of all digitized evidence against ISIL. This will be located at the Supreme Judicial Council of Iraq. As recently agreed with the Chief Justice, my Team will begin to launch this archive in the coming days. In the future, the central repository will play a key role in supporting the prosecutions of ISIL perpetrators for their international crimes in Iraq. Moreover, it could be a milestone in founding a comprehensive e-justice system in Iraq that could be upheld as a leading example, not only in the region, but also globally.

The third and most important element is the adoption of an appropriate domestic legal framework that allows for such trials to take place. That can be considered the main challenge that needs to be addressed to yield the desired results in Iraq. UNITAD remains committed to supporting the Iraq-led process for the implementation of a legal framework that enables the prosecution of ISIL criminal acts as international crimes, war crimes, crimes against humanity and genocide before national courts. The establishment of a joint working group in March 2023, with the Office of

the Prime Minister, the National Permanent Committee for International Humanitarian Law, the Iraqi State Council and senior members of the judiciary, as well as key parliamentarians, is an important step forward in that regard. UNITAD remains at the disposal of the Iraqi authorities to provide technical support, leverage international expertise and share best practices.

As I have mentioned, five years ago UNITAD began implementing its mandate and started promoting accountability for the international crimes committed by ISIL in Iraq. From the very first day, the legal foundation of UNITAD's investigations has been, and still is, customary international law. Once appropriate domestic legislation on international criminal law has been enacted in Iraq, the way forward will be clearer. I remain hopeful that that will happen sooner rather than later.

In parallel, UNITAD has already begun to contribute to the preparation of future trials. The Team has intensified concrete cooperation with counterparts in the Iraqi judiciary to jointly build cases against specific persons of interest and alleged perpetrators. We are now prioritizing persons of interest residing in other Member State countries. In doing so, UNITAD will be working jointly with its Iraqi counterparts on a daily basis, in addition to putting together information to achieve accountability for ISIL's core international crimes, in line with the Team's terms of reference. Those case-building initiatives are designed to lead to a series of case files that contain information and evidence contributed by both sides, the Iraqi judiciary and UNITAD. The jointly developed cases will pilot the direct sharing of evidence and further strengthen the close and trusting cooperation between my investigators and our Iraqi counterparts. Ultimately, that will lead to a better understanding of the investigative needs and methods of the Iraqi judiciary and of UNITAD when it concerns the provision of jurisdictional support globally.

As outlined in resolution 2379 (2017), UNITAD continues to complement investigations carried out by Iraqi authorities and, at their request, by third States. After five years of investigative work in Iraq, UNITAD has become a key facilitator for the global efforts to hold ISIL perpetrators accountable for international crimes. I also want to say that UNITAD has become an indispensable member of the international network created to fight impunity for ISIL crimes. My Team is currently supporting 17 third-State jurisdictions, conducting witness interviews and providing expert

testimonies and technical analysis in criminal proceedings against alleged members and supporters of ISIL.

UNITAD can also contribute usefully to solutions to the challenges of effectively repatriating Iraqi nationals from camps in neighbouring countries, including Al-Hol. UNITAD recognizes its role as an integrated part of the United Nations and its added value in supporting system-wide reconciliation efforts in Iraq. Within the remit of our mandate, we stand ready to contribute both to successfully reintegrating returnees into Iraqi society and to providing Member States with the information necessary to prosecute individuals alleged to have committed international crimes. Accountability is an integral factor in sustaining viable reconciliation, as is support for accountability processes, which can play a key role in encouraging Member States to repatriate their nationals and help resolve the complex situation in camps such as Al-Hol.

I want to reiterate that UNITAD is bridging the gap between crime scenes, victims and survivors and alleged ISIL perpetrators. The Team continues to be impartial, independent and credible in upholding United Nations best practices and policies and relevant international law, while responding with the highest possible standards in support of accountability efforts and the fight against the impunity of ISIL members and affiliates, wherever they are. As the Head of this Investigative Team, it is not only important for me to say that my Team continues to gather the full spectrum of information on ISIL crimes committed in Iraq, but also to emphasize that it supports the Iraqi authorities by enhancing their investigative capacities.

UNITAD commenced its investigative work five years ago. We have shown that our unique and novel mandate to establish an international investigative team can yield positive results and success stories. UNITAD was designed to represent an offer from the international community to Iraq and its people to jointly and successfully deal with the cruel legacy of ISIL. Let me say that UNITAD's operations over the past five years have succeeded because Iraq accepted and supported that offer. However, the work is not yet done, and UNITAD's mission is not yet accomplished. What we want to see in future are fair trials before competent courts in Iraq and ISIL members convicted on charges of international crimes, with the active participation of victims and survivors. Without that, UNITAD's mandate and purpose will not be fulfilled.

Justice can be a lengthy process, and we can often become impatient to see results. But investigations, prosecutions and building evidence-based cases take time, patience and perseverance, particularly in relation to international crimes. ISIL's crimes in Iraq are no exception. Its criminality has committed some of the most gruesome acts we have seen in recent history. The individuals responsible for such acts must be identified, tried and convicted for their crimes. Our duty is to walk together on that path for justice with dedication and determination. I thank the Council for its attention and continued support.

The President (*spoke in Arabic*): I thank Mr. Ritscher for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Eckersley (United Kingdom): I would like to start by thanking the Special Adviser for his very helpful update, his most recent report (see S/2023/367) and for all the work of his Team in Iraq. I would also like to welcome the representative of Iraq to the Chamber. The United Kingdom highly values the progress that the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) is making towards holding Da'esh to account for its horrific crimes. I would like to emphasize three points in particular.

First, we welcome the Government of Iraq's continued work and leadership to enable the domestic prosecution of those responsible for Da'esh's crimes, as well as UNITAD's support for that. In particular, we welcome the establishment of a joint UNITAD-Iraq working group this year, which will look at pathways for the prosecution of international crimes inside Iraq. It is essential that we build legal routes for sharing information and evidence to support prosecutions.

Secondly, we commend UNITAD's close collaboration with the Iraqi judiciary, including through the archiving and digitization project. As we have heard, that archive will enable Iraqi judges to draw on a much wider range of evidence when building cases and pursuing investigations, including into the development and use of chemical and biological weapons. UNITAD's continued and enhanced cooperation with the Iraqi authorities can make a real difference in their efforts to deliver justice for survivors of Da'esh's crimes.

Thirdly, the United Kingdom particularly welcomes UNITAD's ongoing focus on crimes committed against Yazidis, Christians and other minority groups. There is a terrible legacy of Da'esh crimes against those communities, and we must address it. On her recent visit to Iraq, Her Royal Highness the Duchess of Edinburgh highlighted the need for further support to the victims and survivors of conflicted-related sexual violence, including children born of rape. We commend the Government of Iraq for its ongoing implementation of the Yazidi female survivors law, including the initial pay-outs of reparations to survivors.

We must not relent in our support for victims and survivors of Da'esh crimes. We look forward to working closely with Iraq and our partners on the Security Council to continue supporting the important work of UNITAD in September's mandate renewal. The United Kingdom is committed to joining the Government of Iraq, UNITAD and the wider community in the pursuit of justice.

Mr. Pérez Loose (Ecuador) (*spoke in Spanish*): Before I begin my statement, I want to assure the Security Council that Ecuador joins everyone in condemning the attack on Ugandan peacekeepers. We pay tribute to those who gave their lives in the struggle to ensure international peace and security, and we stand in solidarity with their families.

I thank the Special Adviser for presenting the tenth report of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) (see S/2023/367). I also wish to welcome the representative of Iraq to this meeting.

Accountability is one of the key elements for successful reconciliation in post-conflict societies. Impunity, on the other hand, destroys their social fabric. That is why Ecuador supports the work of UNITAD, tasked with collecting, preserving and storing evidence of the crimes committed by Da'esh in Iraq, thus laying the groundwork for the Iraqi authorities to make headway in the identification and prosecution of those responsible before their courts of justice.

In my briefing, I would like to highlight the following points from the report presented by the Special Adviser.

First, we recognize the progress achieved in the lines of investigation into the development and use

of biological and chemical weapons, the destruction of cultural and religious heritage and the crimes committed against various communities in Iraq. To a large extent, those advances have been possible thanks to collaboration with Iraqi civil society actors such as religious leaders, survivors' groups and non-governmental organizations, which has enabled the collection of valuable testimonies and evidence. We also note the progress made in the collection of digital evidence, as well as the digitization of physical evidence, which exceeds 8 million pages.

We trust that such evidence will contribute to the establishment of individual accountability, including in the case of investigations into sexual violence and crimes against children, to which UNITAD has afforded particular attention through its Sexual and Gender-Based Crimes and Crimes against Children Unit. We also urge that the needs of victims and survivors and their families remain at the centre of our attention, as their situation must remain a priority issue. The victim-centred and gender-sensitive approach that guides UNITAD's work is fundamental to achieving that goal.

Secondly, effective cooperation with the Iraqi Government, in particular with the judiciary and law enforcement agencies, is fundamental to the fulfilment of UNITAD's mandate. We are pleased to learn of the fruitful cooperation that UNITAD has developed with the Supreme Judicial Council and other Iraqi authorities, which has yielded concrete results — for example, the collection of evidence on those responsible for the mass murder at the Tikrit Air Academy in June 2014.

Such cooperation should also include technical assistance activities aimed at strengthening the capacities of the national authorities to investigate and prosecute Da'esh members in proceedings that meet due process standards. In that regard, we welcome the meeting held in March between UNITAD and judicial officials, where it was agreed to establish a joint working group to discuss ways to bring members of Da'esh to justice.

We also underline UNITAD's readiness to support national efforts to implement legislation criminalizing war crimes, crimes against humanity and genocide. We urge the Iraqi Government to move forward with the adoption of legislation to enable the prosecution of perpetrators of such crimes.

Thirdly, we note with satisfaction the collaboration detailed in the report between UNITAD and other

United Nations agencies — such as UNESCO, the Mine Action Service, the United Nations Assistance Mission for Iraq and the Office of the United Nations High Commissioner for Human Rights — within their respective areas of competence. We call on UNITAD to strengthen such collaboration, as we consider that coordinated work between the various agencies to be an essential component to ensure the coherence of the United Nations system and to avoid any duplication of efforts and the consequent loss of resources.

In conclusion, I wish to reiterate my country's support for UNITAD and its contribution to the rule of law and to reconciliation and sustainable peace in Iraq.

Mr. De Almeida Filho (Brazil): I thank the Special Advisor, Mr. Christian Ritscher, for his presentation, and I welcome the Iraqi delegation to this meeting.

Resolution 2379 (2017) was clear about the mandate given to the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) by the Council. The Iraqi Government asked for United Nations assistance to hold Da'esh accountable for crimes committed in Iraq. That then prompted the Council to determine the establishment of UNITAD as a temporary mechanism with the aim of assisting the Iraqi authorities with the collection of evidence for use before domestic courts.

In setting out UNITAD's mandate, resolution 2379 (2017) also specifies that the Iraqi national courts are the primary intended recipient of the evidence collected in Iraq. In accordance with that same resolution, any other use of the evidence collected by UNITAD, including before the courts of other States, must always be determined in agreement with the Government of Iraq.

Over the past few years, UNITAD's reports have been asserting that large amounts of evidence have now been collected, stored and processed. Even though the opening of new lines of investigation is still often announced in successive reporting periods, we have also been informed that many investigations have already been concluded and are ready for trial. Yet until now, we have not seen the necessary subsequent steps towards the fulfilment of UNITAD's mandate, which requires delivery of the evidence collected by the Investigative Team to the Iraqi authorities.

We acknowledge that the adoption of domestic legislation in Iraq on core international crimes would constitute important progress in enabling the Iraqi courts to prosecute Da'esh members for the most serious violations of international criminal law. That remains a matter within the sovereignty of Iraq and its domestic legal system, which can surely benefit from technical support provided by UNITAD.

We also note that the wealth of documentation currently in UNITAD's possession remains primarily tied to Iraq's territorial jurisdiction. Additionally, it uncovers various types of international crimes committed within Iraq and against the Iraqi population.

The successive reports of UNITAD, including the latest one, acknowledge that foreign countries have been provided with expertise and information from UNITAD, including evidence collected within Iraq. We hope that UNITAD's sharing of evidence with those countries is being pursued strictly in agreement with the Iraqi Government, within the limits of UNITAD's mandate.

To conclude, we would like to express our understanding that the coming months will be crucial for any further extension of UNITAD's mandate, which is set to expire in September and conditioned upon the renewal of Iraq's request for assistance. For our part, we stress the importance, already underscored by the Security Council through resolution 2651 (2022), of the timely sharing of evidence by UNITAD with the Iraqi authorities. We encourage UNITAD to work constructively with the Government of Iraq in order to set a credible time frame for the completion of its mandate. That would reinforce UNITAD's commitment to support Iraqi efforts to hold Da'esh members accountable, as well as its commitment to all victims who await justice to be delivered by and within Iraq.

Ms. Gatt (Malta): At the outset, I want to thank Special Advisor Ritscher for presenting the report (see S/2023/367) of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) and his briefing this morning. Malta welcomes the progress achieved by UNITAD across its investigative priorities during the reporting period. I also join others in welcoming the Permanent Representative of Iraq. We recognize that the cooperation afforded by the Government of Iraq, including the authorities of

the Kurdistan Regional Government, was essential in ensuring such progress.

UNITAD's investigative achievements over the past six months include the completion of preliminary case assessment reports on crimes committed by Da'esh against the Sunni population in Anbar and on the destruction of the cultural and religious heritage of all Iraq's communities. The Team also successfully launched new lines of inquiry on the development and use of biological and chemical weapons by Da'esh.

In addition, we commend UNITAD for finalising a preliminary case assessment on Da'esh crimes against the lesbian, gay, bisexual, transgender, queer and intersex community. Those abhorrent crimes included public executions of men and boys and those perceived as gay. Such acts underscore once again the importance of including persons of diverse sexual orientations, gender identities and expressions and sex characteristics in discussions on international peace and security.

Furthermore, Malta welcomes UNITAD's continued attention to the thematic investigation into sexual and gender-based violence and crimes against children. The conclusion of an analytical report on sexual and gender-based crimes committed against members of the Shia Turkmen community, including children, is particularly noteworthy. More broadly, we welcome the Team's continued cooperation with civil society, victims, survivors and community and religious leaders across all aspects of its investigative work.

As we heard today from the Special Adviser, UNITAD is making considerable efforts to identify the perpetrators most responsible for atrocity crimes through the building of targeted case files. That is welcome. However, key to holding Da'esh perpetrators accountable is the adoption of a domestic legal framework enabling the prosecution of international crimes, namely, genocide, war crimes and crimes against humanity. We call on the Iraqi authorities to progress that legislation and welcome recent steps towards that goal, including the establishment of the joint working group on pathways to accountability for Da'esh's international crimes. We also commend UNITAD's decision to prioritize support for the national legislative drafting process over the coming six months. Malta stresses that such legislation must preclude the application of the death penalty in line with United Nations best practices.

The technical assistance and support provided by UNITAD to the Iraqi authorities is wide ranging, comprising evidence digitization and preservation, forensic expertise, the excavation of mass graves and training for judges and investigators on international humanitarian and criminal law. That is important work, and we urge its continuation.

Malta is pleased that UNITAD will expand capacity enhancement support towards the Iraqi judiciary in criminal proceedings and case-building and encourages continued positive engagement with the Supreme Judicial Council. We also encourage greater cooperation between UNITAD and the Iraqi authorities on United Nations sanctions listings. Beyond Iraq, we welcome the Team's efforts to enhance assistance for ongoing investigations and prosecutions in foreign jurisdictions, many of which are dealing with crimes against the Yazidi community.

Before concluding, I want to once again reassure the Special Adviser and his Team of Malta's strong support for UNITAD's crucial work in pursuing accountability for atrocity crimes committed by Da'esh in Iraq. Impunity is not an option. In that context, we look forward to the renewal of UNITAD's important mandate in September.

Mrs. Shino (Japan): I thank Mr. Christian Ritscher, 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 (UNITAD), for the valuable information he furnished the Council with today.

Terrorism cannot be justified on any grounds, and the international community must work in unison to eradicate it. Ensuring accountability is a critical pillar of that effort. As the Islamic State in Iraq and the Levant (ISIL) still poses a threat to international peace and security, its members must be held accountable for the acts they have committed, including war crimes, crimes against humanity and genocide.

In that regard, Japan commends the excellent work by UNITAD to support the Iraqi-led process toward that ultimate goal. That work underscores that the rule of law in Iraq and other countries concerned is key to consolidating international peace and security.

We welcome the steady progress made over the past six months in the areas that were identified as priorities in the previous report of the Special

Adviser (see S/2022/836), including the expansion of investigations into crimes against cultural and religious heritage in Iraq, as well as crimes committed against the Christian community, the Yazidi community, the Kaka'i, Shabak and Shia Turkmen communities and the Sunni community. Another notable advancement is the investigation into the development and the use of chemical and biological weapons by ISIL. Considering the immense suffering those horrendous acts have caused, we hope that those lines of investigation will remain a priority for UNITAD, and we expect that further investigations will lead to justice for victims and survivors.

Investigative work into gender-based violence and crimes against children committed by ISIL bears particular importance for us in terms of punishing perpetrators, ending the culture of impunity and helping to eliminate gender-based violence, including sexual violence in conflict. Japan has proudly supported activities by the Team of Experts on the Rule of Law and Sexual Violence in Conflict to support victims of such crimes. We encourage mutual cooperation between UNITAD and the Team of Experts along with other relevant United Nations entities, as their teamwork should help to ensure the overarching needs of the victims are met.

Close cooperation between UNITAD and the Iraqi Government, as well as the Kurdistan Regional Government, is essential to ensuring a successful investigative process, and we were pleased to hear the Iraqi Government's commitment to maintaining strong cooperation with UNITAD. The launch of the joint working group in March, in which pathways towards the prosecution of crimes committed by ISIL will be regularly discussed, was a significant step towards eventual completion of the Iraqi-led judicial proceedings. In a similar vein, Japan also welcomes UNITAD's support to strengthen the capacity of Iraq's judicial system, including through the provision of tailored trainings on digital forensics.

In conclusion, we reaffirm our full support to UNITAD and our expectation that its mandate implementation will remain supported by a united Security Council.

Mrs. Dime Labille (France) (*spoke in French*): I thank the Special Adviser for presenting the report (see S/2023/367) of the United Nations Investigative Team to Promote Accountability for Crimes Committed by

Da'esh/Islamic State in Iraq and the Levant (UNITAD). I also welcome the presence of the Permanent Representative of Iraq. As was underscored by other Council members, his presence demonstrates Iraq's commitment to cooperating with the international community and with UNITAD to ensure that justice be done for all the victims of the crimes committed by Da'esh on the country's territory.

We commend the work of the entire UNITAD Team undertaken in often difficult conditions, of which we are well aware. We reiterate our support for their work. Thanks to UNITAD's work on the ground and alongside national and local authorities, further progress has been made.

New evidence has been gathered concerning the crimes committed by Da'esh, notably concerning the development and use of chemical and biological weapons, crimes committed against religious minorities, serious violations committed against women and children and crimes committed against lesbian, gay, bisexual, transgender, queer and intersex persons.

We would like to highlight the important support that UNITAD has continued to provide with regard to the exhumation of mass graves at the sites of mass crimes committed by Da'esh and the progress made with regard to investigations into the destruction of various cultural sites. We welcome UNESCO's commitment to monitoring the destruction of protected sites.

We welcome the collection of a large amount of digital data related to the online activity of Da'esh and the continuing efforts to digitize the data needed for investigations. These advances are crucial to prevent the loss or degradation of evidence and must continue. The information gathered on the group's funding networks is essential.

We emphasize UNITAD's commitment to Iraqi civil society. I reiterate that dialogue with civil society is essential as it has made it possible to gather invaluable testimonies that have helped to advance the investigations and shed light on the scale and seriousness of the crimes committed by Da'esh.

I would like to underscore the importance of cooperation in the fight against impunity for the crimes committed. In that respect, we welcome the increased collaboration between UNITAD and the Iraqi Government. Raising awareness of the mechanism's mandate is key and is being done through the training

of Iraqi investigating judges in international criminal law, the preparation of indictments and the prosecution of members of Da'esh for war crimes, crimes against humanity and even genocide. We once again encourage the Iraqi authorities to continue their dialogue with UNITAD on those issues.

France calls on all States to support the work of UNITAD. It is proud to support UNITAD through voluntary contributions and technical cooperation to help the Investigative Team in its work of gathering evidence. However, it is important to recall the Organization's consistent position of non-transmission of evidence in judicial proceedings involving the possibility of a death sentence, wherever that may be, in keeping with the relevant international conventions on this issue.

We would like to reiterate here that the fate of the victims must remain our primary concern. The victim-centred approach and the gender perspective adopted by UNITAD in all its work are essential. The fight against impunity for all perpetrators of crimes is imperative for the stabilization, reconstruction and reconciliation of the Iraqi people, as a whole.

That is why, in January 2022, France set up a joint investigation team with Sweden, under the auspices of the European Union Agency for Criminal Justice Cooperation concerning the crimes committed against the Yazidis, and is cooperating with the UNITAD teams within that framework.

Finally, France reiterates its commitment to the fight against terrorism and the fight against impunity. The threat posed by Da'esh has not disappeared. Together with its partners, in particular the international coalition against Da'esh, which meets tomorrow at the ministerial level in Riyadh, France will continue to stand by Iraq in the fight against terrorism.

Mr. Fernandes (Mozambique): I thank 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 (UNITAD), Mr. Christian Ritscher, and his team for the briefing.

We acknowledge the presence of the Permanent Representative of Iraq in this meeting.

Mozambique commends UNITAD for the crucial role it has been playing in combating impunity, as well as genocide and crimes against humanity perpetrated

by the terrorist groups in Iraq. Needless to say, those crimes have further aggravated peace and security in the country and in the region, at large.

The Islamic State in Iraq and the Levant continues to pose a threat to international peace and security through its violent extremist ideology and terrorist acts. Civilians, particularly women and children, are the most affected groups.

We believe that the investigation and prosecution of war crimes are effective adequate ways to protect victims of human rights abuses by breaking the circle of impunity. That element is a building block towards ensuring peaceful and stable societies.

UNITAD's work in the implementation of resolution 2379 (2017) is fundamental as it reinforces the commitment by the international community to make Da'esh/Islamic State in Iraq and the Levant accountable for its crimes committed in Iraq. In that context, Mozambique welcomes the progress made by the UNITAD team on several investigative tracks during the reporting period. The means and resources available for the investigations naturally play a crucial role in achieving the intended results.

In that context, Mozambique welcomes all initiatives in support the work of UNITAD's mandate and mission to investigate and bring to justice the ISIL perpetrators for international crimes committed in Iraq, particularly against women, as well as young people.

We therefore acknowledge the importance of adequate training of judges and prosecutors in order to ensure their successful work. In that regard, Mozambique encourages UNITAD to develop capacity-building initiatives and programmes for Iraq's judiciary, particularly in the fields of international law and international criminal law. We also encourage the international community's support of domestic legal proceedings in Iraq and the sharing of information between legal institutions.

We further encourage UNITAD's cooperation efforts with the Iraqi authorities on the adoption of a legal framework incorporating international crimes, in accordance with the principles of international law. Engagement with civil society remains critical to addressing accountability. As such, we encourage UNITAD to continue its constructive dialogue with civil society and consultations with the Government of Iraq, in parallel with its interaction with the judiciary.

In conclusion, we encourage UNITAD to continue its work, with transparency and within Iraq's domestic legal framework, in order to advance the cause of peace and justice.

Mr. Leonidchenko (Russian Federation) (*spoke in Russian*): The Russian Federation attaches great importance to the issue of bringing terrorists to account for the atrocities they have committed. This is an integral and important part of the fight against terrorism as a phenomenon. In that regard, we are closely monitoring 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) in collecting evidence of crimes committed by Islamic State in Iraq and the Levant (ISIL) in Iraq. We are grateful to Mr. Ritscher for presenting UNITAD's tenth report (see S/2023/367).

We note the growing evidence of ISIL crimes against the Kaka'i, Shabak, Shia Turkmen, Yazidis and Christians.

We welcome the conclusion of work on the preliminary assessment reports on the investigation of crimes against the Sunni community, as well as cases of destruction of cultural and religious sites by terrorists. We would like to see the Team's summary of destroyed and damaged religious and cultural heritage sites in Iraqi communities.

Of particular interest is the subject of terrorists' development and use of chemical and biological weapons in Iraq. We hope to promptly identify and make public all cases of the use of such weapons. It is already clear that their use was not limited to the attack on Tazah Khurmata on 8 March 2016 or to the territory of Iraq, in general. The systemic practice of using chemical weapons by ISIL, which even has its own chemical programme, simply could not have left neighbouring Syria unscathed.

We note the opening of new lines of investigation, including into attacks on Iraqi police and security forces and the seizure and exploitation of Iraqi oil.

The Russian Federation supports efforts to bring terrorists to accountability. In the reporting period, we have made seconded specialists available to UNITAD. At the same time, we would like to underscore that the job of combating impunity for members of Da'esh/ISIL does not begin and end with gathering evidence. In that regard, we will remind UNITAD of the need to fulfil a

key part of its mandate by handing this evidence over to the law enforcement and judicial bodies of Iraq, as stipulated in resolution 2379 (2017).

Resolution 2379 (2017) specifies that the Iraqi authorities, rather than third countries, are the primary recipient of the evidence gathered by the team, and it does not attach any preconditions in that context, in particular the adoption of a special law on international crimes. We sincerely hope that UNITAD will not overlook its mandate and give Iraq access to this evidence for the prompt launching of the process of holding those guilty to account.

Mrs. Onanga (Gabon) (*spoke in French*): I would like to thank you, Mr. President, for organizing today's briefing on the tenth report on the activities carried out by the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) (see S/2023/367) to establish the responsibility of Da'esh for crimes committed in Iraq between 2014 and 2017, which falls within the scope of resolution 2379 (2017). I would also like to thank Mr. Christian Ritscher for his very detailed information on the progress of the investigations under way in the period under review. I would also like to thank his team. Let me also welcome the representative of Iraq and his delegation to the Security Council.

Gabon condemns all acts of terrorism committed throughout the world and reaffirms its unwavering support for the Security Council's counter-terrorism efforts. We support the Council's strategy to prevent the proliferation and use of chemical weapons by State and non-State actors, including terrorist organizations.

The accountability mechanism set up in Iraq, based on criminal justice and the rule of law, is essential to the maintenance of international peace and security. It promotes the fight against impunity and guarantees access to justice for local communities affected by war crimes, crimes against humanity and crimes of genocide committed by Da'esh against the Yazidi people in Iraq.

The material search for evidence to support the allegations of crimes we examine is the result of a long process involving multidisciplinary experts, judicial institutions, civil society and witnesses, and requires the mobilization of meticulous techniques and tools to improve the efficiency of investigations and fact-finding. The inclusion of experts in cross-team investigations is essential — as Mr. Ritscher emphasized in his

report — particularly in the context of investigations into crimes against cultural and religious heritage, as that helps to ensure the credibility and relevance of ongoing investigations. This implies setting up a single, exhaustive framework for obtaining evidence, taking care to remain sensitive to the culture and language of local populations, for a better understanding of the facts. Gabon appreciates the inclusive approach, which, despite the many challenges, enabled us to successfully complete the pilot stages of the fact-finding mission in Iraq.

We welcome the significant progress made in gathering, administering and preserving evidence, in particular forensic evidence, which is a key element of proof in allegations of the use of chemical and biological weapons. To this end, the stratification of regions and populations under investigation is necessary, particularly in the context of crimes committed against Christian communities. We note with satisfaction the spirit of mutual cooperation and assistance between UNITAD and the Iraqi Government, and between UNITAD and concerned Member States, with respect to these investigation procedures. This has enabled the jurisdictions of these countries to become more involved in the ongoing processes.

The particular emphasis placed by the team in the field on strengthening cooperation with the Iraqi authorities, with the support of stakeholders in particular, concerning the crimes committed by Da'esh against Christian communities and those relating to the alleged use of chemical and biological weapons on the populations of Tazah Khurmatu, is a considerable step forward, which we support. In this respect, the new digital evidence obtained is essential, as it clarifies the impact of Da'esh's chemical and biological weapon attacks on the victims, as well as the material damage to property and the environment. Gabon also welcomes the close collaboration of the Supreme Judicial Council of Iraq in carrying out these investigations in such a sensitive context. The discovery of evidence confirming the existence of a centre of operations orchestrated by Da'esh, and the involvement and financial support of criminal organizations, is undoubtedly of particular interest in these investigations.

We welcome the judicious use of cutting-edge technologies, in particular the new strategies aimed at speeding up digitalization and digitization of evidentiary documents throughout the period under consideration, as well as the launch of the Zeteo project

to facilitate the visualization of analyses and evidence in a highly advanced process and format. This will not only facilitate access to the documents, but also save a great deal of time.

Continued dialogue and the cooperation of the Iraqi Government are essential to finalizing the investigations and reaching a memorandum of understanding, which will help to strengthen the capacities of the Iraqi judiciary, including with the involvement of civil society, in particular with regard to assistance for victims of sexual violence, as well as for children who have suffered mistreatment and abuse as part of their enlistment as child soldiers.

In conclusion, we would like to stress the importance of creating the conditions for restorative justice for the injuries suffered by the Iraqi people, in particular the Yazidi communities, as a result of the war crimes, crimes of genocide and crimes against humanity committed by Da'esh. It is imperative that an inclusive approach be adopted in order to maximize the collection of information that will ensure the definitive establishment of the facts.

Mr. DeLaurentis (United States of America): I thank Special Adviser Ritscher for his briefing. I also thank him and his team for their valuable work.

As Iraq continues its transition from conflict to stability and prosperity, accountability for the heinous crimes committed by Da'esh/Islamic State in Iraq and the Levant (ISIS) remains an important element of reconciliation and rebuilding. The United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) is a key element in achieving accountability, and the United States continues to strongly support its work. We welcome the reports of continued development of case files and the expanding circle of incidents and crimes UNITAD is investigating, including documented ISIS use of chemical weapons.

We continue to be impressed by the rigour and technological ingenuity UNITAD has brought to bear on the collection, digitization, analysis and cataloguing of evidence. We welcome reports of growing cooperation between UNITAD and the Government of Iraq, noting ongoing consultations at the senior political level, as well as engagement with judges, notably sharing findings on ISIS financial networks and crimes.

UNITAD's training programmes on evidence management and forensics will pay dividends in future in the Iraqi judiciary's handling of newly collected evidence and in utilizing evidence managed by UNITAD. We acknowledge the Government of Iraq's desire for UNITAD to turn over the evidence it has collected for use by the Iraqi judicial system and UNITAD's attempt to develop a creative solution to try to make this possible.

We encourage the Government of Iraq to adopt legislation on international crimes, notably genocide, war crimes and crimes against humanity, and to take the steps necessary to ensure transparent prosecutions of ISIS members that respect minimum fair-trial guarantees and legal protections. While the number of attacks has decreased and ISIS capability has been significantly degraded through the efforts of Iraq and the Global Coalition to Defeat ISIS, ISIS remains a critical threat in Iraq and globally. One way of reducing that threat is by giving further support the Government of Iraq in repatriating Iraqi ISIS members from detention centres in north-eastern Syria to face justice in Iraqi courts. UNITAD will play an important role in that process. Similarly, UNITAD can help other countries prosecute the thousands of ISIS foreign fighters in detention centres in Iraq and Syria. The detention centres are inherently unstable and pose considerable risks to security. It is imperative that all States repatriate and prosecute their nationals who have committed crimes, as appropriate.

UNITAD continues to be a solid example of how the United Nations can support transitions from conflict to peace and security. The United States will continue its support and will encourage UNITAD and the Government of Iraq to take the steps needed to expand their opportunities to collaborate. In that way, they can accelerate progress towards delivering justice for ISIS's many victims.

Mr. Spasse (Albania): Let me begin by thanking Special Adviser Ritscher for his work and his briefing today. Albania greatly values the investigations and evidence collection carried out by the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) to ensure justice for the victims of Da'esh. We commend the excellent work of the Investigative Team in Iraq in pursuing accountability for serious crimes. The collection and preservation of evidence of crimes, as well as new findings on

development, manufacturing and use of biological and chemical weapons by Da'esh, are very important.

UNITAD's cooperation with Iraqi authorities, as well as with national judicial authorities, is commendable and we applaud it. Such cooperation remains indispensable in enabling national justice systems to prosecute those responsible for financing, supporting and executing terrorist actions worldwide. The legal proceedings to ensure accountability for atrocity crimes committed in Iraq are encouraging and welcome. They represent positive steps towards ending impunity for atrocities in Iraq and serve as an example for the world. And what makes those commendable developments even more remarkable is that they are taking place in a very challenging environment, against a backdrop of political, economic and climate crises. We remain concerned about the continuing insecurity in Iraq, particularly in the light of ongoing armed attacks, including those carried out by Da'esh. Da'esh continues to be a serious threat across the Middle East and Africa and demonstrates the vital need for global cooperation and coordination if it is to be eradicated for good. Albania applauds Prime Minister Al Sudani's commitment to restoring State authority over armed groups in Iraq. We reiterate our firm support for Iraq's sovereignty and territorial integrity and condemn all efforts to undermine its stability and political independence.

This is an unforgiving environment, charged with many dangers, but there can be no doubt about how urgent it is to ensure full accountability for serious crimes. It is equally important to ensure that the fight against impunity never loses sight of full adherence to international humanitarian law and international human rights law. The fight against impunity should be an example of legality and inspire trust in the rule of law and justice. We encourage UNITAD and the Iraqi authorities to redouble their efforts in bringing to justice the perpetrators of sexual and gender-based crimes against women and children. There should be a special focus on the needs of all the communities affected.

In conclusion, let me reiterate once again Albania's unwavering commitment to accountability and a just peace for all Iraqi people. They are vital to stabilization, reconstruction and reconciliation in Iraq. The Security Council must show unity and support UNITAD and other United Nations mechanisms in order to prevent the resurgence of Da'esh and its affiliates in Iraq and elsewhere.

Ms. Oppong-Ntiri (Ghana): I would like to thank Special Adviser Christian Ritscher for his presentation of the tenth report 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 (see S/2023/367), which reflects advancements in the Team's investigative work during the reporting period. I also welcome the Permanent Representative of Iraq to today's meeting.

Ghana joins other Council members in acknowledging the commendable work being done by the Team in fulfilment of its mandate regarding accountability for international crimes committed by Da'esh. Ensuring meaningful accountability for the crimes committed in Iraq remains crucial if the international community is to win the global fight against terrorism and fulfil its collective duty to seek justice and redress for victims of Da'esh's heinous international crimes in Iraq. We were therefore pleased to note that during the reporting period the Team made significant progress in its investigative priorities, including the launch of new lines of inquiry into the development and use of biological and chemical weapons and the destruction of cultural and religious heritage, as well as crimes committed against various communities in Iraq. The notable progress that has been made in investigations into the financing of Da'esh crimes and crimes against children is also encouraging. Those developments continue to help to produce dedicated case files and identify persons potentially responsible for the crimes committed. We also acknowledge the great strides that the Team has been making in digitizing the physical evidence obtained. That undertaking is particularly important, because it represents a vital step in duly preserving the records of Da'esh's international crimes in Iraq and shaping the path towards securing justice in relation to the crimes committed.

While that phase in the work of UNITAD represents a key step in support of the eventual prosecution of perpetrators, it will be pivotal to move the accountability process forward, particularly through the timely transfer of the evidence collected to the Iraqi authorities. We therefore urge the Team to continue working closely with the Iraqi authorities to achieve that objective. Ghana reiterates that continued cooperation between UNITAD and the Iraqi authorities remains vital in our collective quest for accountability and in the ongoing initiatives to build and enforce the

capacities of relevant Iraqi stakeholders, particularly the Iraqi judiciary, reinforce national capacities to hold perpetrators accountable and foster genuine national reconciliation. In that context, we applaud the Team's efforts and emphasize that it is only through such comprehensive coordination and collaborative efforts that the effective implementation of the Team's mandate can be fully achieved.

With regard to UNITAD's engagement with other Member States, it has become increasingly evident that the Team's support to ongoing investigations and prosecutions in national jurisdictions helps to foster universal accountability. We support the call for UNITAD to continue strengthening its ability to support domestic proceedings in line with its mandate in order to enable the prosecution of those who support, finance and carry out terrorist activities worldwide.

Lastly, the work of UNITAD is contingent on the continued support of the international community, including the Council. It is imperative that we keep up our efforts to sustain our involvement in the pursuit of accountability, including by providing UNITAD with the requisite assistance. Through those efforts, we can contribute to the timely implementation of the Team's mandate, hold perpetrators accountable and help ensure that justice is served.

In conclusion, allow me to reaffirm Ghana's support for the Team, under the leadership of Special Adviser Christian Ritscher, and the relevance of its work in the pursuit of accountability for crimes committed by Da'esh in Iraq.

Mrs. Chanda (Switzerland) (*spoke in French*): At the outset, let me begin by thanking Special Adviser Ritscher and his team for their report (S/2023/367) and his comprehensive briefing. Switzerland welcomes the progress made during the period under review by the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ Islamic State in Iraq and the Levant (UNITAD).

I would like to underscore three elements that Switzerland believes to be critical to UNITAD's work.

First, accountability and justice are necessary pillars for preventing atrocities and achieving lasting peace. UNITAD contributes to achieving those goals by investigating and documenting the crimes committed by Da'esh in Iraq. Impunity for those crimes prevents justice for victims and survivors, which is unacceptable.

In that regard, Switzerland welcomes the increased cooperation between Iraq and UNITAD aimed at strengthening capacities to prosecute crimes committed by Da'esh, in accordance with international norms. Effective cooperation with the Iraqi Government, as well as with national partners, is a key element of the mechanism's mandate and activities. We commend its innovative and technology-driven approach to evidence collection and analysis, which will be particularly useful in supporting future proceedings.

Furthermore, we welcome UNITAD's contribution, in close collaboration with Iraqi officials, to the establishment of a joint working group on the implementation of a national legal framework. We recall that the mechanism does not share evidence involved in judicial proceedings that could result in a death sentence. Switzerland is opposed to the death penalty in all circumstances, as it is incompatible with respect for human rights and dignity. Not only is the death penalty ineffective as a deterrent, but it also has no effect on preventing criminality, violent extremism or terrorism.

Secondly, UNITAD's approach must continue to include a gender perspective. Sexual and gender-based violence is particularly prevalent in terrorism and conflict situations. It continues to be used as a method of war by terrorists throughout the world. It is therefore imperative that strategies to prevent and combat terrorism go hand in hand with the fight against sexual and gender-based violence. Switzerland has been shocked by the many well-documented horrific sexual and gender-based crimes committed by Da'esh, particularly against the Yazidi community. Such crimes continue to profoundly affect not only the survivors, but also their families and, beyond that, entire communities. We therefore welcome the mechanism's strategy to investigate crimes committed against the various communities in Iraq, including gender-based crimes and those committed against children. It is vital that the people affected by such crimes, especially children, be provided with adequate support. Their rights and protection and the prevention of such crimes must be at the heart of our collective efforts.

Thirdly, Switzerland welcomes the expansion of UNITAD's investigations into the destruction of cultural heritage with a view to identifying those allegedly responsible. The wilful destruction of cultural heritage, particularly for the purpose of persecuting populations, reduces cultural diversity, fuels conflicts

and compromises long-term security. It deprives future generations of an integral part of their identity. Switzerland encourages the mechanism to pursue its efforts to develop an expanded investigation plan in close collaboration with UNESCO, non-United Nations entities and the Iraqi authorities.

Terrorism has inflicted, and continues to inflict, deep wounds on the societies affected in Iraq. Women are its first victims, which in no way prevents them from resolutely committing themselves to building lasting peace. We must do our utmost to ensure that those responsible for the crimes committed by Da'esh in Iraq are brought to justice. I would therefore like once again to thank Special Adviser Ritscher and his Team for their tireless work and to assure them of our continued support.

Mr. Geng Shuang (China) (*spoke in Chinese*): I thank Special Adviser Christian Ritscher for his briefing and welcome the representative of Iraq at this meeting.

China appreciates the recent achievements made by the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ Islamic State in Iraq and the Levant (UNITAD) over the past six months, especially the recent discoveries concerning the alleged development and use of chemical and biological weapons and the destruction of cultural heritage by Da'esh. The gathering and classification of relevant evidence are critical to uncovering Da'esh's terrorist acts and supporting accountability efforts in Iraq. We are also grateful for the active assistance provided by UNITAD in strengthening the capacity of Iraq's judicial system and supporting its courts' digitalization efforts. While we acknowledge the progress in its work, we also hope that the substantial amount of evidence that UNITAD has collected will translate into concrete actions to hold terrorists accountable as soon as possible.

The transfer of evidence to Iraq is explicitly stipulated in resolution 2379 (2017) and represents the last step in UNITAD's work. We expect UNITAD to promptly initiate the systematic and complete transfer of evidence to the Iraqi side. We do not support linking the transfer of evidence to Iraq's domestic laws or legislative process. In sharing evidence with third countries, UNITAD should obtain prior consent from the Iraqi Government and adhere to the principles of transparency and non-discrimination.

It should be noted that UNITAD was established as a temporary and transitional arrangement in response to the Iraqi Government's request to support its accountability efforts. It was not intended to be a permanent body. As early as May 2021, the Team's sixth report (see S/2021/419) outlined preliminary plans for its completion strategy. This year marks the fifth anniversary of its establishment. We hope that it will engage in full consultations with Iraq to promptly develop a completion strategy, including a time frame to be submitted for review by the Security Council.

The worldwide situation concerning terrorism remains grave, with terrorist organizations such as Da'esh, Al-Qaida and the Eastern Turkistan Islamic Movement continuing to run rampant. As Iraq continues to be at the forefront of international counter-terrorism efforts, the international community should continue to support the country in strengthening its counter-terrorism capabilities, combating terrorism and holding terrorist forces accountable under its national laws. Relevant countries should also take responsibility for and cooperate with Iraq in dealing with the issue of foreign terrorist fighters in Iraq.

The President (*spoke in Arabic*): I shall now make a statement in my capacity as the representative of the United Arab Emirates.

I thank the Special Adviser, Mr. Ritscher, for his important briefing, and I welcome the participation of the representative of Iraq in this meeting.

At the outset, I would like to stress the importance of the efforts undertaken by the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD), which has made continued progress in collecting and analysing evidence of crimes carried out by Da'esh in Iraq. That will allow the Iraqi authorities to use the evidence in national prosecutions. We also stress the need to continue holding those criminals accountable so as to be an example for other criminals who commit such heinous crimes around the world. We welcome the recent progress made across several lines of investigation, particularly those concerning crimes carried out by Da'esh in and near Mosul, the group's former stronghold. We call for an expansion of the investigations into the organizational and financial structures of Da'esh in Mosul to help to uncover additional leads about the identities of the perpetrators of crimes in that area, including the Badush

prison massacre, the group's role in the development and use of biological and chemical weapons and the destruction of cultural and religious heritage sites and their exploitation for terrorist and political purposes.

We support UNITAD's continued investigations into the most serious international crimes committed by Da'esh, including those that targeted women and children in Sinjar and other areas. To support those efforts, it is important for the UNITAD Team to share evidence with the Iraqi authorities and do so within an appropriate time frame, in accordance with resolution 2651 (2022). We hope that the results of those investigations will contribute to supporting all of the Iraqi Government's other efforts to achieve justice for the victims in various ways.

We also welcome the formation of a joint working group between UNITAD and a number of governmental institutions in Iraq and hope that those efforts will be successful in ensuring the drafting of national legislation on core international crimes to form a legal framework supporting the prosecution of perpetrators of such crimes. At the same time, we believe it is important that the Council remain seized of the progress in the handover of evidence in the coming period and seriously consider all available options to facilitate that. While we welcome UNITAD's efforts to support the trials of Da'esh criminals in third countries, we stress the importance of those efforts being carried out in advance and in full coordination with Iraq.

The United Arab Emirates commends UNITAD's efforts to build the capacities of the relevant judicial and security authorities in Iraq, particularly in conducting investigations and forensic digital support. We also commend the achievements made by the team in digitizing and archiving evidence and providing training programmes related to document and evidence management, as well as using modern technology in its work, especially in investigations having to do with mass graves and the exhumation of remains and revealing details of the facts related to the excavation of such graves. We hope that those practices will help develop local working methods that can be used in similar investigations in other regions around the world. To complement those efforts, we believe it will be important to transfer knowledge to Iraqi experts by appointing more of them to UNITAD's core work teams.

In conclusion, we affirm our eagerness to continue cooperation with the members of the Council on this

issue, especially as the date of UNITAD's current mandate ends in September.

I now resume my functions as President of the Council.

I give the floor to the representative of Iraq.

Mr. Fatah (Iraq) (*spoke in Arabic*): I would like to begin by expressing my thanks and gratitude for the efforts of the United Nations and its main organs and offices through its resolutions, recommendations and decisions, as well as for all the international efforts supporting Iraq in combating terrorism and pursuing terrorists. I thank the Swiss delegation for managing the work of the Council for the month of May, and congratulate the United Arab Emirates on its assumption of the presidency of the Security Council for June and wish its Mission every success. I also thank Mr. Christian Ritscher and his team for his valuable briefing to the Council and for reviewing the most important paragraphs of the tenth report (see S/2023/367) of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD), including its activities in my country, Iraq, during the period covered by the report.

In the context of what Mr. Ritscher reviewed in his briefing, we commend what was stated in his tenth report, which included several points where his work in Iraq reached advanced stages through participation and cooperation with the Iraqi Government and through opening new paths of investigation for the crimes committed by the terrorist organization Da'esh against the Iraqi people, in addition to following up on UNITAD's previous investigation paths and achieving accountability in cooperation with the Iraqi national authorities. In that regard, I note three areas.

First, there have been preliminary investigations of the use of chemical and biological weapons, which will be highlighted in a side event tomorrow, as Mr. Ritscher noted in his briefing.

Secondly, outstanding efforts have been made in the areas of digital documentation and digitization and training programmes for capacity-building.

Thirdly, a joint working group has been established with the judiciary and legal experts in the Prime Minister's Office, the Iraqi State Council and members of the House of Representatives to discuss the adoption of domestic legislation on international crimes.

In the nearly six years since UNITAD began its work, my Government has repeatedly made it clear that the Team's most important challenge during the next stage is fulfilling the mandate to achieve justice and presenting all evidence to the Government of Iraq to be used before the Iraqi national courts as quickly as possible. UNITAD's tasks are based on resolution 2379 (2017) and the rules of competence in collecting, preserving and storing evidence of the Da'esh's crimes in Iraq, with the duty to then present the evidence to Iraq for the conduct of fair and just trials that help to achieve justice and redress for the victims. The Team's task of preserving and storing evidence and investigating crime after crime cannot be completed unless the evidence is used in national legal contexts. We therefore look forward to moving beyond the wait for appropriate legislation to be adopted and seeing rapid, real and practical steps taken in providing evidence to the Iraqi Government in implementation of the mission's mandate. In that regard, it is important to point out that the international community constantly highlights the need to achieve accountability and justice for the victims and address the reasons that have prevented the Government of Iraq from achieving that.

In that regard, we want to point out that in its turn the Government of Iraq has consistently affirmed that it is directly responsible for achieving justice for the victims, prosecuting all the perpetrators of crimes against Iraqis and ensuring the principle of non-impunity. The purpose of establishing UNITAD and defining its mandate at Iraq's request was to help the country accomplish that, along with achieving justice for the victims, by holding to account everyone involved in committing, supporting or financing the crimes of Da'esh in Iraq. Those tasks are waiting for UNITAD to fulfil its mandate and hand over the evidence that the Iraqi Government needs to conduct trials and find redress for the victims. We note that the delay in the prosecution and trial procedures could enable some members of Da'esh to escape and find sanctuary. That explains the increase in trials in various countries that have accepted numbers of refugees for asylum, some of them involved in terrorist acts with Da'esh. The main reason for that could be attributed to delays in the prosecution and accountability procedures for a number of the leaders of Da'esh who managed to escape.

In the context of promoting accountability at the global level and implementing UNITAD's mandate, we stress once again that any sharing of evidence and

information obtained by UNITAD during its tenure, and with the cooperation, facilitation and support of Iraq, must take place with the knowledge and prior consent of the Iraqi Government, as per the Team's exclusive mandate. In that regard, we believe it is necessary to establish a mechanism for obtaining the formal consent of the Iraqi Government, in a clear and specific format, in order for information to be shared with third States. That has been overlooked in previous reports and we therefore hope that the next report will address such a mechanism.

Nearly six years after the start of UNITAD's work, and for the remainder of its mandate, we look forward to seeing the appointment of Iraqi experts to the Team completed so that they meet the required specified quota, thereby achieving the important standard included in the Team's mandate with regard to transferring international expertise to the Iraqi national cadres who will complete the investigations in the future. The Government of Iraq once again emphasizes

its commitment to cooperating with the international Investigative Team and assisting it through the National Coordinating Committee dedicated to supporting UNITAD's mandate, with full respect for Iraq's sovereignty and jurisdiction over the crimes committed within its borders and against its people.

In conclusion, I would like to express our thanks to you, Mr. President, and to those friendly States that have supported my country in its counter-terrorism efforts and worked together to bring the perpetrators before the national judiciary. We would also like to express our thanks and appreciation for the efforts of Mr. Ritscher and UNITAD and for the progress achieved through their activities, including the exchange of expertise with Iraqi national authorities. We want to emphasize the magnitude of the violations suffered by the Iraqi people at the hands of the terrorist organization Da'esh. We wish him and his team every success in their work.

The meeting rose at 11.40 a.m.