



Security Council

Seventy-fourth year

8573rd meeting

Monday, 15 July 2019, 10.05 a.m.

New York

Provisional

President: Mr. Meza-Cuadra (Peru)

Members:

Belgium	Mr. Pecsteen de Buytswerve
China	Mr. Yao Shaojun
Côte d'Ivoire	Mr. Moriko
Dominican Republic	Mr. Singer Weisinger
Equatorial Guinea	Mr. Esono Mbengono
France	Mrs. Charrier
Germany	Mr. Glossner
Indonesia	Mr. Djani
Kuwait	Mr. Alotaibi
Poland	Mr. Lewicki
Russian Federation	Mr. Kuzmin
South Africa	Mr. Davies
United Kingdom of Great Britain and Northern Ireland	Mrs. Dickson
United States of America	Ms. Norman-Chalet

Agenda

Threats to international peace and security

Letter dated 17 May 2019 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/2019/407)

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

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security

Letter dated 17 May 2019 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/2019/407)

The President (*spoke in Spanish*): 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. Karim Asad Ahmad Khan, Special Adviser and Head of the Investigative Team established pursuant to Security Council resolution 2379 (2017), 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/2019/407, which contains a letter dated 17 May 2019 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. Khan.

Mr. Khan: I would like to start by congratulating Peru on assuming the presidency of the Council this month.

It is indeed an honour to present to the Council the second report (see S/2019/407) of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ Islamic State in Iraq and the Levant (UNITAD).

From the outset of our work in Iraq, we have sought to ensure that the experiences and voices of survivors, witnesses and communities are placed at the centre of our work. These survivors come from all communities across Iraq. All communities have been impacted

in some way, shape or form by the crimes of Da'esh, and their message has been clear and consistent. Their demand is a simple one, but it goes to the heart of the mandate. The Islamic State in Iraq and the Levant (ISIL) must be held responsible for the crimes that were committed.

In Mosul to Tikrit, from Erbil to Dahuk and Sinjar, and elsewhere in Iraq, victims have given harrowing accounts to our Team of mass killings, of whole families being wiped out and women and children taken as slaves. The courage those individuals have demonstrated in coming forward and giving their accounts about Da'esh underlines, in very real terms, their commitment to justice, their heroism and the urgency with which we at UNITAD must work, together, if we are to fulfil the hopes, aspirations and promises that were made in September 2017 by the Council in resolution 2379 (2017).

Perhaps most striking, to me at least, has been the fact that when I have engaged with these victim communities among the various components of Iraq, their message is one of seeking not revenge or reprisals, but justice. They seek justice, not as an abstract but rather based on proper, solid evidence — without hearsay or gossip — that can be presented in a court of law and subjected to challenge so that independent and impartial judges may make determinations that will stand the test of time. The resilience and the fortitude of the people of Iraq from all communities need to be applauded right at the outset. It is only through fair trials that the corrupt and perverted ideology of Da'esh, as well as its most un-Islamic practices, can be fully and completely exposed in a manner that will brook no answer at all.

Over the past six months, we have sought to harness our resources and the unity of purpose that we have seen in Iraq and the Council in the most effective way. I am pleased to report that since my last briefing to the Council (see S/PV.8412), very significant progress has been made. We are now receiving evidence, information and witness statements in all forms — digital, electronic, documentary — in line with the investigative strategy that I detailed in my previous report (see S/2018/1031).

The Team is expanding rapidly. At the beginning of the year, we had 10 staff members in UNITAD. As of today, we have 79 staff members from all geographical regions of the United Nations. In line with the Secretary-General's policy on gender parity, I am

extremely pleased to announce that more than 55 per cent of the Team is female and more than 50 per cent of the senior leadership of UNITAD is also female.

In May, I was delighted, together with His Excellency the Prime Minister of Iraq, to announce my appointment of Ms. Salama Hasson Al-Khafaji. She is sitting right behind me. I really want to take this opportunity, in this Chamber, to publicly applaud Ms. Salama Hasson Al-Khafaji for her extraordinary commitment to the rule of law and to justice. Already, her experience, wise counsel and sincere efforts to deliver accountability have made a meaningful contribution to the Team. Her appointment shows in a very vivid and obvious manner the support of the Government of Iraq and how, by harnessing the quality, ability and experience of the people of Iraq, we can complement the investigative capacity within Iraq and hopefully also feed evidence into the court systems of other Member States.

In April, we were fortunate in leaving the hotel where we were based and then the engineering compound on the premises of the United Nations Assistance Mission for Iraq (UNAMI). We have our own facilities where we can safely store our material and the evidential work product that we generate. Importantly also, we now have videoconference facilities, so that we can use our offices to transmit testimony not only into the courts of Iraq, but also, more immediately, the courts of other Member States.

I want to thank UNAMI and the Special Representative of the Secretary-General for Iraq for their constant support as we move from being a start-up entity into the operational stage of our work. All along, we have been endeavouring to move the mandate from the paper of resolution 2379 (2017) into something concrete, and we have done that initially by focusing on three main areas: first, in the Sinjar area, attacks against the Yazidi communities; secondly, in Mosul, which is, as I have said repeatedly, a microcosm in many respects of the crimes of Da'esh, we see crimes against religious minorities and women and children, crimes of sexual slavery and crimes of sexual and gender-based violence; and thirdly, we have been focusing on this awful massacre to create an academy in June 2014. The team is preparing evidentiary files with respect to a broad category of other crimes. This is important because all communities, as I said at the outset, have been targeted by Da'esh. There was no preference or mercy shown whether one was Christian or Yazidi, Shia

or Sunni, Kaka'i or Turkmen or Shabak, for that matter. All of those communities suffered horrendously at the hands of that most un-Islamic State.

In conducting the work of UNITAD, we have sought to draw on its independent and impartial status in order to engage with all actors — whether international, regional or local — so that we can get the greatest body of material and collect it in line with international standards. That inclusive and collaborative approach is reflected in the evidence collection that we have undertaken only in the past few weeks. In the past 10 days alone, we have had a team out that has been in the village of Kojo, in Sinjar, collecting evidence or supporting the Iraqi authorities in collecting evidence and giving them guidelines regarding what international standards require so that we have the greatest opportunity to feed evidence into domestic courts, in line with legal considerations.

In northern Iraq, we have been conducting interviews with Yazidis, Turkmen Shia, Christians and Sunni Arabs. It is very encouraging that we have already found very important evidence from individuals and witnesses who had not hitherto given a statement to any investigative entity or non-governmental organization (NGO). In addition, we have received 600,000 videos in the past two weeks that are very relevant to our investigations and more than 15,000 pages of insider ISIL documents that they themselves produced, which were collected from the battlefield by leading investigative journalists.

I have repeatedly stated that the collection of evidence in itself does not represent satisfactorily the culmination of our work. It is not an end in itself, and that needs to be underlined. It is not sufficient for UNITAD simply to have an archive of interesting material, important though that is. To fully deliver on our mandate, we must ensure that our work contributes tangibly to domestic accountability efforts. In recognition of that imperative, the Investigative Team has already held in-depth discussions in recent months in order to create, identify and strengthen potential channels for evidence collected by the Team to feed into domestic proceedings in a manner consistent with UNITAD's terms of reference.

I am also pleased to be able to inform the Council that a number of other Member States have — at this early stage, six or seven months after our deployment to Iraq in terms of the new year — already approached

us in relation to ongoing domestic proceedings within their jurisdictions. Based on our discussions with relevant national authorities, it is my hope that within the next two weeks we will be able to provide tangible support with respect to at least one ongoing case before a national court of a Member State, which would mark an important milestone in the young life of UNITAD.

Our cooperation and collaboration with the Government of Iraq and Iraqi national authorities have remained crucial to the ability to deliver on our mandate. I take this opportunity to express my thanks for the support that has been given to me and to UNITAD by the President of Iraq, the Prime Minister of Iraq, the Foreign Minister of Iraq, the President of the Judicial Council and, indeed, the Permanent Representative of Iraq to the United Nations, who is at this meeting today. In addition, the support of the Kurdistan Regional Government has been unrelenting and extremely significant, and I extend my thanks to the President, Prime Minister and the Deputy Prime Minister of the that Government for the assistance they have provided in the formative stages of UNITAD's work.

Our effective working-level engagement with Iraqi and local authorities, in line with the terms of reference, has, in my respectful submission, been one of the most notable and greatest successes of UNITAD in these initial stages. Tangible evidence of that cooperation can be found in the collection of forensic material from mass grave sites, in line with international standards, and the transmission of evidence and case files from national and local authorities to the Investigative Team to ensure that our work is conducted in a manner that is complementary to ongoing domestic proceedings. They have also facilitated, in the past few days before I came to this meeting, my visit to some of the detention centres in Iraq. I am also extremely grateful for the unfailing support provided by the relevant national security agencies and the National Operations Centre, which has facilitated our nimble, mobile investigative work in the field of Iraq itself. In short, the cooperation that the Government of Iraq has extended to UNITAD thus far has been, in my considered view, exemplary.

While significant progress has been made in the past six months, I wish to underline that the ability of the Team to deliver on its mandate remains dependent on the consistent and continued support of the Council and the international community more broadly. In that regard, we have been greatly assisted by the very generous contributions to the trust fund that Member

States have provided to UNITAD. We have used the funds for very good purposes. They have helped us with exhumations in the field and to purchase the leading technology for DNA analysis, drones and 3-D scanners. They have been used to recruit psychological and psychosocial support for the victims. I would like once again to express my thanks to the Member States that I highlighted in particular in the written report presented to the Council. I am also pleased to announce that last week we were given a commitment by the United Arab Emirates of another generous contribution and the Government of Qatar is planning on financing and supporting an international conference in Doha at the end of this year.

Apart from financial assistance to the trust fund, gratis personnel are sorely needed. I would like to applaud and thank Germany, Saudi Arabia, Sweden and Turkey for their very generous contributions to UNITAD, which have filled a need. The latter three — Saudi Arabia, Sweden and Turkey — have promised and made commitments to provide gratis personnel to forensics and other areas. Those contributions are essential not only in further strengthening our capacity to conduct effective investigative activities but also in reinforcing the message that the Council and the international community remain *ad idem* and united and that the imperative of justice is not simply an incantation but that the Council and international community are committed to ensuring that it is realized by way of not only proper investigations but also fair trials that will stand the test of time.

Through our work in Iraq to date, our engagement with victims, our cooperation with national and regional actors and our dialogue with religious bodies and leaders, two fundamental truths have become apparent.

The first is that, despite the scale, depravity and barbarity that were unleashed by Da'esh on innocent civilians, they have not succeeded in dividing the people of Iraq. Rather, the gaps that existed have been narrowed and a great deal of unity has been created, which, if properly harnessed, can be very important not only to the future of Iraq but also to the continued fulfilment of the UNITAD mandate. The call from all Iraqis for justice is resolute and clear. The courage and strength that we have seen among the religious divides and across political divisions from all parts of the political spectrum and of Iraq and, most notably, the courage of survivors to come forward with unbelievable bravery to recount what has befallen them, what they

have seen and what they have known have demonstrated quite eloquently the abject failure of Da'esh to sow lasting division in the territory of Iraq, nor has Da'esh succeeded in intimidating the people of Iraq into silence. Every time a witness comes to UNITAD and gives their account, that is a very eloquent and powerful riposte to Da'esh.

Secondly, we have understood that the ultimate success of our work will depend on our ability to draw on our independent and impartial status to harness this unity of purpose and to make our work a product of a collective endeavour between the Council and the people of Iraq, between the national authorities and local actors and between NGOs and universities. The whole of humanity — all those groups — needs to come together and be harnessed. Hopefully, we will then have an opportunity to deliver on the mandate and ensure justice, not in the abstract but by way of evidence collected by UNITAD that can feed into independent and impartial trials. Only if we succeed in both parts will the full purpose of UNITAD be fulfilled.

I thank you, Mr. President, for the opportunity to present the second report of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant.

The President (*spoke in Spanish*): I thank Mr. Khan for his briefing.

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

Mrs. Dickson (United Kingdom): I would like to start by thanking Special Adviser Karim Khan for his informative updates on the recent progress made 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 also like to take this opportunity to acknowledge and welcome the recent appointment of his Iraqi deputy, Ms. Al-Khafaji. The United Kingdom is grateful to them and to their Team for the excellent work that they have undertaken so far. The United Kingdom emphasizes the importance of recruiting further Iraqi members of the Team as soon as possible. That recruitment, alongside training and development opportunities, will provide an important legacy for Iraq in building capacities and sharing expertise.

We welcome the strong and positive engagement of the Team with the Government of Iraq, both in Baghdad and here in New York. We are grateful to the Government of Iraq for its continued commitment to and support for UNITAD's work. That message of commitment was conveyed strongly to the Council during its recent visit to Baghdad by the highest levels of the Government of Iraq. We also welcome the continued collaboration between the Government of Iraq and the Kurdistan Regional Government with the Team to agree modalities for cooperation. Over the next reporting period, we encourage the Team to redouble and prioritize its engagement with the Government of Iraq in order to ensure the greatest possible use of evidence collected in Iraqi domestic proceedings, including allowing for the prosecution of war crimes, crimes against humanity and genocide under domestic law. That would constitute a remarkable step forward in promoting accountability for survivors and the families of victims of Da'esh. Maintaining and strengthening that close engagement with the Government of Iraq, the international community, non-governmental organizations and the people of Iraq will be essential over the coming months.

Less than 12 months after UNITAD received its first budget, the Team has made remarkable progress. Over the past six months, it has established a new official headquarters, developed an investigative strategy and conducted excavations in Sinjar, as well as making important progress towards putting in place the necessary systems to ensure that evidence is safely stored. We welcome that progress and hope that the digital storage system will be fully up and running by the time of our next briefing. We also look forward to the planned excavation in Mosul and to the remaining field units becoming operational soon.

The Council's recent visit was also an important reminder to us all of the scale of the path ahead for the Government of Iraq in transitioning into a post-conflict environment. Reconciliation, reconstruction and accountability for all survivors of Da'esh violence are essential. The enormity of the task ahead for UNITAD in gathering further evidence is also clear. The collection of forensic, physical and biological material from mass grave sites in Iraq is an essential first step to providing closure for the families of the victims. We urge the Team to continue to focus on that important task and to share further details on its investigative

strategy as it develops, as well as any challenges that it may face.

The United Kingdom also acknowledges the volume of work that the Team has undertaken so far in gathering witness testimonies. We urge all United Nations bodies in Iraq to work collaboratively so as to ensure that they avoid duplication of effort and mitigate the risks around the potential retraumatizing of victims. In that regard, we urge the United Nations Assistance Mission for Iraq, UNITAD and the United Nations Iraq team of experts to work together to coordinate their efforts and share best-practice and technical expertise.

In November, the United Kingdom will host a conference on preventing sexual violence, entitled “Time for justice: putting survivors first”. We hope that all Council members will send senior representatives of their Governments to signify their commitment to preventing sexual violence in conflict and ensuring accountability for the perpetrators of those crimes and support for survivors, their children and relatives.

When resolution 2379 (2017) was adopted unanimously in September 2017, it demonstrated the Council’s full support for efforts to bring Da’esh to justice. Since its inception, when Nadia Murad addressed the Council (see S/PV.8052), survivors and victims have been at the heart of the Team’s efforts. We commend the Team’s approach in emphasizing that there is no hierarchy of victims and the recognition that all Iraqis suffered at the hands of Da’esh. Its work will be important in supporting the Government of Iraq in its efforts to achieve national reconciliation.

The United Kingdom is proud to support the important work of the Investigative Team, and I am pleased to announce today an additional £1 million in funding to the Investigative Team, taking the total contribution of the United Kingdom so far to £2 million. We thank the growing number of Member States that have also pledged support to the Team, and we encourage other countries to consider providing financial and in-kind support to ensure that the Team can continue with and accelerate its valuable work.

In conclusion, I would like to reiterate the United Kingdom’s full support for the efforts of the Special Adviser and his team. We look forward to the unanimous renewal of the Team’s mandate in September.

Ms. Norman-Chalet (United States of America): I thank Special Adviser Khan for being with us in person

today and for his thorough and serious briefing to the Security Council.

The plight of Iraq’s ethnic and religious minorities is of critical importance to the United States. We will not waver from holding the Islamic State in Iraq and the Sham (ISIS) accountable for the atrocities it has committed against all Iraqis. The United States remains a strong, committed supporter of the Security Council mandate of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da’esh/Islamic State in Iraq and the Levant (UNITAD) to collect, store and preserve evidence of ISIS atrocities that may amount to war crimes, crimes against humanity and genocide.

We are pleased that the Security Council reiterated its unanimous support for UNITAD’s mandate during the Council’s first-ever trip to Iraq last month, where Council members had a chance to engage with Special Adviser Khan and his team. The United States welcomes the rapid initiation of UNITAD’s critical activities on the ground in Iraq over the past year and the details that Mr. Khan provided us this morning. The recent appointment of Iraqi experts to UNITAD, working alongside international experts, is critical to the Team’s success, as demonstrated by the appointment of Deputy Salama Hasson Al-Khafaji, who joins us today and whom I welcome.

The United States contributed \$2 million in support of UNITAD’s first exhumation of mass graves sites in Sinjar, which took place earlier this year. UNITAD’s access to those sites is vital to the professional and impartial evidence collection of the unimaginable atrocities that the Yazidis suffered under ISIS. We express our thanks to Member States that have also stepped up to contribute to UNITAD’s operations through funding and support means, including the United Kingdom, Germany, Qatar, the Netherlands, the United Arab Emirates, Sweden, Turkey and Saudi Arabia, and call on other Member States to swiftly support UNITAD in order for the Team to collect critical evidence before it is too late.

Of course, money alone will not guarantee effective evidence collection. We welcome the Government of Iraq’s commitment to working closely with UNITAD. Such close cooperation between UNITAD and the Iraqi Government is essential for the Team’s success, as demonstrated by Special Adviser Khan’s frequent

meetings with key Iraqi political, religious and societal leaders over the last year.

We call on the Government of Iraq to continue to give UNITAD the space to operate effectively. Independence and impartiality will be essential to the Team's credibility moving forward. No segment of Iraqi society has escaped ISIS terror, and it is important to develop a balanced and accurate account of events. That will give voice to all Iraqis, including members of all Iraq's religious and ethnic groups who have been subjected to unspeakable atrocities.

Iraq needs accountability and reconciliation to begin in order to recover from the trauma that ISIS inflicted on the Iraqi people. In recent weeks, UNITAD has taken the important step of beginning evidence collection in Mosul — once a former ISIS stronghold. UNITAD's work there will send an important message to all Iraqis, including the Sunni community, that the international community has not forgotten the atrocities that they too endured.

It is especially important for Iraq to work through a law-based process to hold ISIS perpetrators and collaborators accountable. UNITAD plays a critical role in that effort, including by ensuring that exhumations and evidence collection are conducted in accordance with international standards.

We extend our appreciation to the entire UNITAD team for aiming to assure that justice is never beyond the reach for the heinous acts that ISIS committed.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): At the outset, I join those who spoke before me in thanking Mr. Karim Asad Ahmad Khan, 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), pursuant to resolution 2379 (2017), for his valuable briefing. We also welcome the appointment of Ms. Salama Hasson Al-Khafaji, Deputy of the Special Adviser, and welcome her participation with us in this meeting.

We also recall our meeting with Mr. Khan during the Council's visit to the Iraqi capital of Baghdad, which was successful in achieving its goal of showing support for Iraq, the United Nations Assistance Mission for Iraq (UNAMI) and UNITAD.

We reiterate our every wish for the success of the Special Adviser and his team with its international and

national members in their difficult and sensitive mission. We hope that it will be carried out in accordance with international standards and the investigation strategy put forward by UNITAD for collecting and storing evidence and protecting witnesses in support of local and international efforts aimed at attaining justice for the most atrocious crimes committed against the Iraqi people. That is an important part of the comprehensive framework to eliminate terrorism.

The mechanism established pursuant to resolution 2379 (2017) upholds achieving justice, ensures providing redress to victims and is a response to the request by the Iraqi Government to guarantee that there be no impunity for those who perpetrated these crimes, which may amount to the level of crimes against humanity, war crimes and genocide, with full respect for the sovereignty of Iraq and its jurisdiction over crimes committed in its territory under Iraqi law and Constitution.

We are well aware that the judicial responsibility for dealing with all kinds of terrorism is of an international nature. We support the efforts of the Government of Iraq in combating terrorism and we appreciate the determination that the country has demonstrated to eliminate extremism, violence and terrorism, with the support of its friends and partners from the international community and the United Nations. In that regard, we welcome the ongoing cooperation and collaboration between UNITAD and the Iraqi Government in accordance with the Team's mandate, which has contributed to expeditious progress in the field operations of the Team.

We also note the international efforts of the Global Coalition against Da'esh. However, much remains to be done in the same unified international spirit, which we believe to be necessary in combatting Da'esh sleeper cells and completely eliminating their potential threat, while exploring ways to deal with the phenomenon of foreign terrorist fighters and to ensure reintegration.

It is especially alarming that Da'esh continues to threaten the security and stability of the region as a whole. We all shoulder the responsibility of eliminating Da'esh in a flexible and effective way that will curb its ambitions and dry up its financing and resources, ensure that its ideology does not re-emerge by resolving the root causes of terrorism and violent extremism, and guarantee a smooth transition to reconstruction and the return of stability. We continue to support Iraq

in its efforts to overcome the ordeal that it suffered under Da'esh within the framework of the International Coalition aimed at defeating that organization, as well as to face the great challenges that brotherly Iraq continues to face following the defeat of Da'esh.

The Emir of our country, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, took the initiative by calling for the convening of the Kuwait International Conference for the Reconstruction of Iraq in February 2018, which garnered pledges amounting to \$30 billion that would require the establishment of a follow-up mechanism to ensure that these pledges are honoured and that stability and security are restored in Iraq.

In conclusion, we reiterate our solidarity with Iraq, its Government and its people in any step it takes to combat terrorism. Moreover, we will spare no effort in supporting Iraq and standing by its side in its attempts to contain Da'esh and its practices, hold accountable those who have perpetrated such heinous crimes and reconstruct areas that have been damaged by Da'esh. We will also support Iraq in its efforts to consolidate national unity among all Iraqi people, based on its territorial integrity and political sovereignty.

Mr. Moriko (Côte d'Ivoire) (*spoke in French*): My delegation welcomes today's briefing on the progress made in implementing the principle of accountability for serious crimes and mass atrocities committed in Iraq by the Islamic State in Iraq and the Levant (ISIL). We commend Mr. Karim Asad Ahmad Khan, 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), established by resolution 2379 (2017), for his excellent briefing, in support of the efforts of the Iraqi authorities to collect, protect and preserve evidence relating to acts that may constitute war crimes, crimes against humanity and genocide.

First and foremost, Côte d'Ivoire reiterates its support for Mr. Karim Asad Ahmad Khan and his entire team for the work they have already conducted, in spite of the many difficulties. Côte d'Ivoire remains deeply concerned about the ongoing complex and multiple challenges that could hinder UNITAD's work in the context of its cooperation with the Iraqi authorities. Crimes within the scope of UNITAD's investigation are taken into account by Iraqi legislation only as terrorist crimes. Similarly, the transnational nature of ISIL's activities between June 2014 and June 2016 requires us

to identify areas of judicial cooperation among States in the region so that individuals detained beyond Iraqi borders are held accountable for crimes committed by Da'esh.

Despite those obstacles, my country remains convinced that cooperation between UNITAD and the Iraqi authorities will allow for the development of consensus-based legal mechanisms that will include the crimes perpetrated by ISIL in the Iraqi legal arsenal so that they do not go unpunished. In that regard, we encourage the Special Adviser to continue his cooperation with the Iraqi authorities, affected ethnic and religious communities and civil society, whose contributions could further boost UNITAD's action, while ensuring its impartiality, independence and credibility. It also recalls the need to ensure the greater involvement of women in investigations.

My country welcomes the excavation of mass graves conducted to date, in particular in the village of Kojo, in the Sinjar district. We are of the opinion that mapping ISIL's command structure between June 2014 and June 2016 will enable us to identify the perpetrators of the crimes committed and initiate subsequent legal action.

My delegation also welcomes the establishment of the UNITAD witness protection strategy, as well as its cooperation with the United Nations Assistance Mission for Iraq and INTERPOL. We also believe that it is important to resolve as soon as possible differences in interpreting resolution 2379 (2017) and address the concerns expressed by certain members of the Council, for which the evidence gathered by UNITAD could lead to the application of the death penalty at the end of the expected trials.

In spite of such differences, which should not affect UNITAD's work, my country remains convinced that our collective commitment to translating into concrete actions the principle of accountability for mass crimes committed during conflicts and by terrorist groups, in particular, goes well beyond the Iraqi and regional framework. Above all, it is a challenge for international peace and security, which requires the mobilization of the entire United Nations system and all actors involved in the fight against terrorism.

Côte d'Ivoire therefore calls for increased international cooperation in the fight against terrorism and the transnational organized crime that fuels it. That was the subject of the open debate convened by the Peruvian presidency on 9 July (see S/PV.8569). In that

regard, my country stresses the need to find sustainable responses to the structural causes of insecurity and instability in our countries and regions.

Combating poverty and unemployment must remain at the heart of our priorities as it is closely linked to the creation of socioeconomic environments that would ensure the well-being of populations and that young people are far removed from radical rhetoric and the temptation to join terrorist groups. In that regard, there is an urgent need for national and regional economic and social development strategies to receive the greatest attention and support from the international community through investments that generate employment and provide basic social services. That is true of the much-needed economic and social reconstruction in Iraq, as well as that of other regions ravaged by terrorism, cross-border organized crime and community conflicts.

In conclusion, my delegation reiterates its support and best wishes to Mr. Karim Asad Ahmad Khan and the United Nations Investigative Team. My country remains convinced that the success of UNITAD will undoubtedly constitute a virtuous example and a decisive step forward in the action of the United Nations and the international community in the full and effective implementation of the principle of accountability for all terrorist actors or organizations that commit mass crimes.

Mr. Djani (Indonesia): We would like to thank Mr. Karim Asad Ahmad Khan, 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, for his briefing today, as well as his engagement with us during our mission to Baghdad last month. I think we learned a great deal from that mission. We commend the efforts of the Investigative Team, as mandated by resolution 2379 (2017), as an important first step in fighting impunity and holding those responsible for the atrocities carried out by the Islamic State in Iraq and the Levant to account. We commend the work of the Team and hope that it continues to perform consistently within the mandate and framework agreed upon by the Council.

Accountability is critical to delivering on the Council's aims of reconciliation and sustaining peace. Following the discussions in Baghdad last month, I would like to make three points.

First, the victory over the Islamic State in Iraq and the Levant was the result of the commitment and resilience of the Iraqi Government and people. Yet, in some ways, that victory is only the beginning of a long road ahead. The hard work of healing the wounds left on Iraqi society has just begun. The Iraqi Government and people must now turn their attention to reconciliation and to building an Iraqi State that represents all Iraqis. Protecting and supporting survivors should be at the centre of its work, as well as the importance of ensuring evidence-based and witness-based investigation. Of course, that will take political courage and cooperation. We, the Council, must again stand with the Iraqi people in that critical phase and not let crimes against humanity happen again in the future.

Secondly, States have the primary responsibility to protect all communities within their borders from mass atrocity crimes. Indonesia continues to hold the view that the primary jurisdiction for holding those responsible for the atrocities committed within Iraqi borders must lie with the Iraqi national authorities. Therefore, we urge the Investigative Team to operate in full respect for the sovereignty of Iraq and its jurisdiction over crimes committed in its territory. Fighting impunity is an urgent and imperative matter, but we need to be fully aware that it must also respect the principle of the sovereign equality and territorial integrity of States. In that regard, I believe that the international community should continue to support Iraq in order to strengthen its judicial system and law enforcement capabilities. That is a very crucial point.

Thirdly, cooperation and collaboration with all relevant stakeholders are crucial. We believe that the ability of the Investigative Team to successfully fulfil its mandate will depend also on its ability to maintain the trust and support not only of the Government of Iraq but also of the people of Iraq, including relevant civil society organizations and local community leaders.

Reflecting on that principle, we fully support the efforts of the Investigative Team to engage and develop relations with a broad range of religious community groups, as reflected in the report (see S/2019/407).

We would further like the Team to engage Iraqi national professional personnel. I also concur with the point raised by my colleague from Côte d'Ivoire on including women in that regard, because, at the end of the day, they are among those who are severely affected. Moreover, there is a need to cooperate with the United

Nations on the ground. Such coordination has always been the most important aspect.

Lastly, as the Team has now been able to begin the collection of evidentiary material, a crucial phase of its activities, allow me to close by once again offering Indonesia's support for the work of the Team and expressing our hope that the noble intentions of UNITAD will contribute to healing the wounds of the many survivors and to healing the pain of the past.

Mr. Davies (South Africa): We thank the Special Adviser and Head of the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ Islamic State in Iraq and the Levant (UNITAD), Mr. Khan, for his informative briefing on the work of the Team, and commend him and his team on the progress achieved in their challenging task.

As experience has taught us in South Africa, accountability, truth and justice are fundamentally important to the process of healing. We therefore welcome the important work that UNITAD is engaged in, in line with resolution 2379 (2017), in supporting Iraqi domestic efforts in seeking accountability for the grave crimes committed by the Islamic State in Iraq and the Levant (ISIL) in the country, as well as its broader role in promoting accountability for ISIL/ Da'esh crimes internationally.

UNITAD's role as an impartial, independent and credible body, operating within the Charter of the United Nations, employing United Nations best practices, in line with relevant international law, including international human rights law, is vital in assisting the uncovering of the atrocities that have been committed and bringing their perpetrators to justice. UNITAD's painstaking efforts to collect and preserve various forms of evidence are particularly important, and it is to be commended for the important progress that it has made in that regard, under difficult circumstances.

South Africa notes with concern the recent report of the Special Adviser (see S/2019/407), which indicates that despite the setbacks that it has suffered, ISIL/ Da'esh remains a pervasive threat in Iraq. That threat must be addressed, as the continued presence of ISIL has ramifications, not only for the destabilization of Iraq but also for the entire region. UNITAD's role is invaluable in sending a clear and unequivocal message that the international community, under the leadership of the United Nations, will not sit idly by and allow the

barbaric crimes that were committed by ISIL/ Da'esh to go without accountability.

Allow me to conclude by reiterating South Africa's support for the mandate of the United Nations Assistance Mission in Iraq (UNAMI), whose important, multifaceted work is providing hope in assisting the rebuilding of Iraq and healing its wounds. We encourage all stakeholders to continue to support and engage with the efforts initiated by UNAMI to achieve effective post-conflict reconstruction and sustainable peace in Iraq, including by supporting the invaluable work that UNITAD is doing in its respective role.

Mr. Kuzmin (Russian Federation) (*spoke in Russian*): We thank Mr. Khan for his second briefing to the Security Council on the report of the Special Adviser (see S/2019/407).

The work of the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ Islamic State in Iraq and the Levant is an important element of the counter-terrorism strategy in the Middle East. The Middle East region remains a stronghold for the leadership of the Islamic State in Iraq and the Levant (ISIL), and the group continues to pose a serious threat to international peace and security.

The question of holding accountable those who fought for and assisted ISIL must be addressed as effectively as possible. We understand from the report and following the recent meeting between Mr. Khan and members of the Security Council in Baghdad that the mission of the Special Adviser enjoys the support of the Iraqi authorities and the country's multireligious society, which is extremely important.

The collection, analysis and transfer of evidence to the courts must be carried out in strict accordance with international law and in full respect for sovereignty of the States where ISIL committed its crimes. We believe that the main role in bringing terrorists to justice remains the responsibility of the Governments of the States that were affected by the atrocities committed. That is precisely the principle that underpins resolution 2379 (2017), which established the Investigative Team.

We note with satisfaction that the Team has begun its practical work on the ground and has been closely documenting evidence in Iraq. We expect that the Iraqi judicial system will soon start to use that data, inter alia, to instigate terrorist-specific proceedings. At the same time, it would likely be wrong to foist all the

issues regarding conducting judicial proceedings solely on Iraq or other countries of the region.

In that regard, we are concerned about the unresolved problems related to the repatriation of foreign terrorist fighters to their countries of origin and holding them to account. Various alternative ideas for the relevant courts have been discussed, although sometimes they are quite utopian in nature. We are sure that Mr. Khan may prove to be a very helpful at a certain point in time in many discussion platforms. We urge him to not succumb to political or legal temptations and strictly follow his core mandate, as established in resolution 2379 (2017), which is to support national efforts to prosecute ISIL members for the most serious crimes under international law that were committed in Iraq.

The Russian delegation supported the establishment of the Team in 2017. Its first steps were encouraging. We call on the Team to continue its hard work on the basis of the principles of impartiality and transparency. We are convinced that only in that way will the Team's work make a worthy contribution to the efforts to bring ISIL terrorists to justice.

Mr. Glossner (Germany): I thank the Special Adviser and his team for their tireless efforts. Germany fully supports the work of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) and commends the important progress that has been made and outlined by the Special Adviser today.

By unanimously adopting resolution 2379 (2017), the Security Council affirmed the importance of ensuring accountability in the post-conflict setting of Iraq, but, more broadly, it also shed light on the wider global need for accountability for criminal acts, whether they are committed by States or non-State actors. We also welcome the support provided by the United Nations Assistance Mission for Iraq (UNAMI) to the work of UNITAD, in accordance with resolution 2470 (2019). UNITAD and UNAMI, in our view, share some key similar objectives: the promotion of accountability, the protection of human rights and the strengthening of the rule of law in Iraq.

Germany commends the Special Adviser and his team for the comprehensive approach that they are taking to their mandate and investigations. The Islamic State in Iraq and the Levant (ISIL) and its accomplices have assaulted many different groups and individuals,

and it is crucial that the victims and survivors of all origins receive equal access to justice.

In April, under the German presidency, the Council adopted resolution 2467 (2019), which, for the first time, enshrined within the Council's documents a survivor-centred approach to preventing and responding to conflict-related sexual violence. Such a survivor-centred approach is, of course, needed in addressing other crimes as well. Like other Council members, we therefore commend the Special Adviser and his team for paying specific attention to maintaining close relations with survivors, local communities, religious leaders and the Iraqi authorities.

We also welcome the strong working relationship of UNITAD with international and regional organizations and civil society. In that regard, I would like to especially mention the collaboration that UNITAD has developed with the International Commission on Missing Persons and the Commission for International Justice and Accountability. Those organizations have been on the ground since the very beginning and have conducted extremely important work.

ISIL's heinous crimes and the suffering it has caused do not stop at the Iraqi border. We therefore further encourage the Special Adviser to look for additional forms of transnational cooperation in the investigations. The victims and survivors of ISIL's crimes must have access to justice everywhere, which is why Germany welcomes the exchange of information and possible support for the prosecution of ISIL crimes in other national jurisdictions through mutual legal assistance. In that regard, Germany thanks the Special Adviser for the exchanges he has had with the German authorities on possible ways of cooperation with regard to the Team's ongoing investigations. Like others, Germany actively supports the work of UNITAD. As the Special Adviser mentioned initially, we have dispatched experienced personnel to the Investigative Team, and we are looking into identifying further areas of support.

Let me also add a few words on the cooperation between UNITAD and Iraq. We welcome the commitment of the Iraqi Government to pursue justice and accountability. Justice served with due process and in accordance with international standards is indispensable for national reconciliation and a peaceful and stable future, as outlined by my South African colleague. The terms of reference worked out with

the Special Adviser and the establishment of the Iraqi Steering Committee allow for effective cooperation. It is clear — and the Special Adviser emphasized this point at the beginning — that independence and impartiality are essential for the Team's credibility going forward.

Cooperation with UNITAD holds significant potential to strengthen the rule of law within the Iraqi judicial system. In that regard, I would like to highlight three points. First, we welcome the steps taken towards agreements between the Investigative Team and the Iraqi national authorities in order to facilitate the transmission of relevant evidentiary material to the Team. Secondly, we also deem it important that Iraq incorporate provisions on international crimes in its national criminal law. Thirdly, evidence gathered by the Investigative Team must be used only in prosecutions that comply with international legal standards, which disqualifies the use of such evidence if capital punishment cannot be excluded. In that regard, Germany takes note of the relevant report of the Secretary-General (A/73/253) that outlines the policy prohibiting international accountability mechanisms from sharing evidence for use in the context of criminal proceedings in which the death penalty could be imposed or carried out.

Finally, we call on the Iraqi Government to strengthen the rule of law in judicial proceedings against possible ISIL perpetrators. Such proceedings must allow for fair and impartial procedures and effective and timely judicial review, including access to legal assistance.

The Security Council can count on Germany's support for UNITAD and for the fight against impunity.

Mr. Yao Shaojun (China) (*spoke in Chinese*): China thanks Special Adviser Karim Khan for his briefing.

The Security Council recently visited Iraq and witnessed the proper responses by the Government and the people of Iraq to the internal and external challenges they face, their victory over terrorism, the gradual restoration of security and stability and the steady progress in rebuilding the economy. China commends these efforts.

The international community should continue its strong support for the Iraqi Government in maintaining security and stability, achieving inclusion and reconciliation, promoting economic development, improving people's living standards and accelerating

the reconstruction process. At the same time, we should not lose sight of the fact that the fight against terrorism is far from over, with the lingering threat of remnant terrorist forces, or that it is still necessary to deal with large numbers of foreign terrorist fighters and their families remaining in Iraq. Support from all parties is urgently needed.

China appreciates the tireless efforts and the tremendous sacrifices made by the people and the Government of Iraq in the fight against terrorism and supports Iraq in bringing terrorists to justice in accordance with the relevant domestic law. China has taken note of the second report (see S/2019/407) of 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). We welcome the work of the Investigative Team in developing an investigative strategy, setting up core working groups, conducting field investigations and collecting and analysing relevant evidence. We support the Investigative Team in setting priorities for its work in the light of the actual situation on the ground and acknowledge the efforts and progress made by the Team. It is our hope that the Team will continue its close communication with the Iraqi Government and the relevant parties and cooperate with the United Nations Assistance Mission for Iraq and other stakeholders to play an active role in holding terrorists accountable and curbing the return and spread of terrorist forces and their activities.

China commends the Investigative Team's good cooperation with the Iraqi Government and believes that the support of the Iraqi Government and the trust of the people are of great significance in the Team's fulfilling its mandate and effectively responding to challenges. The Team should continue to abide by the purposes and principles of the Charter of the United Nations, earnestly implement its mandate in strict accordance with Security Council resolutions and its terms of reference and, while actively and effectively carrying out its work, fully respect Iraq's sovereignty and its jurisdiction over crimes committed on its territory. We welcome the appointment by the Iraqi Government of Ms. Al-Khafaji to join the Investigative Team and look forward to the Team's early completion of the recruitment of other Iraqi nationals to help strengthen the capacity of the Iraqi Government to hold terrorist organizations accountable.

Terrorism is the common enemy of humankind. Its impact transcends national borders. As such, it is hard for any country to deal with it alone. Faced with this challenge, the international community should be committed to applying a unified standard and adopting a zero-tolerance and non-discriminatory approach to resolutely fighting terrorism. As a victim of terrorism and an important member of the international counter-terrorism front, China stands ready to continue to work with the international community for new progress in international counter-terrorism cooperation.

Mr. Lewicki (Poland): First of all, let me join other delegations in thanking Mr. Khan for his report (see S/2019/407) and in expressing our deep appreciation for his work and that of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD)

We have said it many times in this Chamber but let me also reiterate that there is no peace without justice and that the key element to providing justice is accountability. As Mr. Khan rightly pointed out, accountability must be based on solid evidence, which is why we greatly welcome the contribution of the Special Adviser and his Team to accountability efforts by collecting, preserving and storing evidence of acts that could amount to war crimes, crimes against humanity and genocide committed by the Islamic State in Iraq and the Levant (ISIL) in Iraq. I cannot agree more with Mr. Khan that ISIL must be held accountable for those atrocity crimes. We also welcome in particular the advances in operationalizing the Team's mandate, including the development of the investigative strategy, and the activities undertaken by UNITAD in line with the investigative priorities, which include the excavation of 12 mass grave sites.

The establishment of trust and safeguarding cooperation with the Government of Iraq and the authorities of a number of other States, as well as Iraqi regional and local authorities and representatives of different parts of society, including survivors, is equally commendable. We are greatly pleased to hear from Mr. Khan himself in the Chamber today about the exemplary cooperation UNITAD and he personally enjoy with Iraqi Government authorities. That kind of cooperation demonstrates the will, and even the commitment, of the Iraqi Government to provide justice and accountability. It is also a kind of sine qua non of reconciliation within Iraqi society. We look forward to

the development of such cooperation further increasing the Team's operational capabilities and progress in its substantive work in line with its mandate. We call on all stakeholders to support UNITAD and provide it with any assistance it may need.

The efforts to ensure geographic diversity and gender, ethnic and religious balance in appointing the Iraqi members of the Investigative Team deserve recognition. The Team's composition should reflect the diversity of the Iraqi population, and thereby increase the its capabilities in collecting evidence in various communities affected by Da'esh. In that context, like many other delegations, we welcome Special Adviser's appointment of Ms. Salama Hasson Al-Khafaji as Chief of National Engagement and Support. We encourage efforts to integrate Iraqi members into the Team. We also encourage States Members of the United Nations to consider offering expert personnel support.

Delivering meaningful justice to the victims of the crimes of Da'esh/ISIL and their relatives requires independent, credible investigations and fair trials. It entails evidential and material collection and analysis in accordance with the highest international standards. In that context, the considerable progress achieved by UNITAD with regard to the establishment of frameworks for the collection and storage of forensic material and documentary, digital and testimonial evidence, as well as for protecting witnesses, should be noted. I thank Mr. Khan for his updates. Great progress has been made in that regard.

We commend the victim-centred approach adopted by UNITAD, as highlighted by Mr. Khan, including the steps taken to ensure that victims of sexual and gender-based crimes in particular are provided with adequate support.

In conclusion, let me reiterate that Poland fully supports UNITAD, its impartiality and independence. While welcoming the cooperation to date by different stakeholders with the Special Adviser and the Investigative Team, we call for further development in that regard. Allow me also to once again acknowledge the crucial contribution of the Special Adviser and the Investigative Team to promoting accountability and reconciliation in Iraq. We encourage them to continue to effectively carry out their mission.

Last but not least, I concur with the words of Mr. Khan that collecting the evidence will not mean the end of UNITAD's mission. The end of its mission will

be accomplished once justice has been provided for the victims of the atrocities committed by ISIL and Da'esh.

Mrs. Charrier (France) (*spoke in French*): We would like to thank Special Adviser Karim Khan for his informative briefing. In just a few months, he has set up a high-quality team of Iraqi and international experts that also includes an equal place for women. In that context, we welcome Ms. Salama Hasson Al-Khafaji, who is sitting beside him today, and the Iraqi Ambassador. That is a sign that the international community and Iraq, in response to Iraq's request to the Security Council, are working hand in hand to fight impunity for crimes committed by Da'esh.

France would like to thank Kuwait for having organized, as part of its presidency, an exchange with Mr. Khan during the Council's visit to Iraq. That enabled us to affirm on the ground our full support for the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ Islamic State in Iraq and the Levant (UNITAD) two years after the adoption of resolution 2379 (2017) and to assess the challenges. Their work focuses today on the crimes committed by Da'esh in Sinjar, Mosul and Tikrit. That is a first step. Justice must be rendered for all victims of the most serious crimes committed by Da'esh throughout Iraqi territory. It is essential that regional leaders and commanders be brought to justice.

We welcome the initial operational progress made by the Team in the collection of digital documents and testimonies, as well as the excavation of mass graves in Kojo, in Sinjar, in March and April. The Team's meeting with the council of tribal leaders of Anbar in June will contribute to deepening its close cooperation with Iraqi society and its authorities. It is a step in the right direction. We also encourage the Team to continue its work independently. In that encouraging context, France would like to convey three messages.

The first message is to UNITAD. It is important that the Team continue to work with all actors: the Iraqi authorities, local actors, victims groups and non-governmental organizations, representatives of all components of the Iraqi population, as well as Member States. The United Nations, in particular the United Nations Assistance Mission for Iraq (UNAMI), has a key role to play in supporting the Iraqi authorities in reforming governance and strengthening the judicial system and the rule of law. I would like to commend the cooperation between UNAMI and UNITAD,

whose mandates in the fight against impunity are complementary. We encourage them to continue along those lines.

With regard to UNITAD sharing evidence with national judicial authorities in proceedings, France recalls that resolution 2379 (2017) and the Team's terms of reference provide that evidence sharing should be carried out in accordance with United Nations best practices and international standards. In that regard, we recall that France is opposed to the death penalty in all places and under all circumstances.

My second message is addressed to all those who may have relevant information for them to provide it to UNITAD. In particular, we encourage States to commit to cooperating with UNITAD in an operational manner and, if necessary, to conclude cooperation agreements. France intends to fully cooperate with the Special Adviser and his teams. We welcome the fact that contacts have already been established between the relevant French authorities.

My third message is to the Iraqi authorities. Since the territorial victory over Da'esh, Iraq has fully recognized the need to prosecute those responsible for the most serious crimes committed on its territory. We welcome the determination of the Iraqi authorities to integrate the fight against impunity for all crimes, regardless of the victims and the affiliation of the perpetrators, into efforts to stabilize, rebuild and reconcile all components of Iraqi society, which is key to preventing any resurgence of Da'esh. We welcome in particular the support of the Iraqi authorities and the establishment of a Steering Committee appointed by the Government to determine how the cooperation should be carried out. It is important that Iraq continue its close dialogue with UNAMI on strengthening the rule of law. Finally, I would like to reiterate that France will continue its efforts to combat impunity and support the strengthening of the rule of law in Iraq. France is providing multifaceted assistance for strengthening the capacities of Iraqi institutions. We formalized that in May with the signing of a joint Franco-Iraqi road map.

France supported resolution 2379 (2017) in 2017 because we stand side by side with Iraqis in the fight against Da'esh in all its aspects — security, political and judicial. UNITAD is now in place, which is an essential first step. However, there are still many challenges, as noted in the second UNITAD report (see S/2019/407). The evidence is numerous, but scattered. It needs to

be used in proceedings, first and foremost in Iraq, that respect fundamental guarantees. The Council must support the Iraqi authorities' efforts to address those challenges. It is therefore important that UNITAD's work be developed and sustained. That is how the objectives of justice and reconciliation established in resolution 2379 (2017) can be achieved.

Mr. Singer Weisinger (Dominican Republic) (*spoke in Spanish*): We thank Mr. Khan for his briefing and for the hard work he has been doing as Special Adviser.

First, we would like to welcome the fact that, in its initial development, preparation and investigation phase, the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant has worked constructively and in joint coordination with the Iraqi authorities, local communities, the various agencies of the United Nations system and States where the Islamic State in Iraq and the Levant has expanded its operational capacities and activities. We hope that that cooperation will continue and be strengthened as the Team reaches its operational phase. Similarly, we welcome the implementation plan established by the Special Adviser, which outlines the three initial specific areas for investigation.

We would also like to highlight the readiness and cooperation shown by the Iraqi authorities with the Investigative Team in implementing the provisions set out in resolution 2379 (2017) in order to hold members of the Islamic State accountable for the crimes committed, including war crimes, crimes against humanity and genocide, to which the populations of Iraq and other States were subjected. It is therefore imperative that the Investigative Team function effectively so that those unspeakable crimes do not go unpunished.

In that regard, we are pleased to note that the Team undertook the first set of excavations of mass graves in the village of Kojo in March and April in order to exhume the remains of victims of the Islamic State. We applaud the fact that that process is being carried out with due regard for the customs and respect for the religious rites of the people.

We are also pleased that special attention is being paid to survivors of crimes of sexual and gender-based violence. In that regard, we would like to emphasize that the investigations should focus on survivors, prioritizing their rights and needs as victims of sexual

and gender-based violence. It is therefore important to ensure that the investigation processes ensure protection and confidentiality for both survivors and witnesses. For that reason, we consider the witness protection strategy established by the witness protection team, in the context of gathering evidence from testimonies, to be an excellent measure.

We also urge the Iraqi authorities and the Investigative Team to pay attention to persons with family ties to members of the Islamic State, including women and children, and to prevent them from being prosecuted for crimes perpetrated by their relatives. Likewise, their protection and physical integrity and respect for their rights must be ensured, particularly in the case of minors, who under no circumstances should be treated as adults, including when they have allegedly been part of or collaborators with the terrorist group. They should be treated as victims, not perpetrators.

On another front, the Investigative Team must maintain its independence and impartiality, working in collaboration with the United Nations mechanisms and the Iraqi authorities and respecting their sovereignty and jurisdiction, in accordance with the mandate of resolution 2379 (2017), the principles of the Charter of the United Nations and international law.

Finally, the dividends of justice will be determined to a large extent by the regional and international financial, legal and capacity-building support that Iraq receives to strengthen its institutions, in particular the judicial system. We therefore encourage the international community to work together to that end.

Mr. Esono Mbengono (Equatorial Guinea) (*spoke in Spanish*): At the outset, we would like to join previous speakers in commending and thanking Mr. Karim Ahmad Khan, 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 comprehensive and enlightening report (see S/2019/407) submitted pursuant to resolution 2379 (2017). We also welcome the appointment of Ms. Al-Khafaji.

The delegation of the Republic of Equatorial Guinea highlights the importance of resolution 2379 (2017) in terms of judicial accountability for the maintenance of international peace and security. It is essential that those responsible for the atrocity and mass crimes committed by Da'esh during the period between June 2014 and December 2017, in which it occupied, controlled and

operated with impunity in large areas of Iraq, committing all kinds of crimes involving serious violations of international human rights law, international criminal law and international humanitarian law, all of which constitute war crimes, crimes against humanity and genocide, be held accountable.

The shocking and horrifying discovery of more than 200 mass graves containing the remains of thousands of men, women and children deserves no less. We therefore welcome the establishment of the Investigative Team and its efforts to implement the original strategies for the complete fulfilment of its mandate as well as the strategies that continue to be implemented, specifically the field visits to the major crime scenes in Iraq and the ongoing contact with the national authorities, groups of survivors and civilian and religious leaders in the country.

With regard to the gathering and analysis of evidence, we also welcome the standard operating procedures for the collection, handling, preservation and storage of evidence and information management tools, such as chain of custody forms, which are being tested to ensure their probative value before a broad range of national courts. It is important that the victims feel that justice is being rendered so as to prevent a sense of impunity.

We note the important contribution made by Member States of expert personnel. In that regard, we thank the Governments of Germany, Saudi Arabia, Sweden and Turkey because we believe that a much more effective team is thereby being formed with the required number of staff.

Furthermore, we commend the Iraqi authorities as well as the United Nations for continuing to enhance their operational cooperation with the Investigative Team. We hope that the activities of the Investigative Team are conducted in an impartial and transparent manner in full compliance with international law, including the Charter of the United Nations.

In conclusion, our delegation wishes Mr. Khan and his entire team much courage, success and determination in the challenging and complex task entrusted to them by the United Nations. At the same time, we assure him of the support of the Government of the Republic of Equatorial Guinea in his duties.

Mr. Pecsteen de Buyswerwe (Belgium) (*spoke in French*): At the outset, I would like to thank Mr. Karim

Khan, Special Adviser, for his written report (see S/2019/407) and for his very enlightening briefing to us this morning.

In a context that remains difficult in terms of security given the significant threat that Da'esh continues to pose, the stability of Iraq is our priority now more than ever. In order to rebuild a resilient society on solid foundations, Belgium is convinced that it is essential to fight against impunity for the atrocity crimes committed there.

Da'esh is one of the main perpetrators of the violations of international humanitarian law and human rights law that took place in Iraq. In that context, Belgium co-sponsored resolution 2379 (2017), which established the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (see S/PV.8052). On that occasion, the Council played its part in ensuring that the necessary measures were taken to combat impunity and promote respect for international law — two objectives that contribute to the maintenance of international peace and security

Belgium commends the work done by Mr. Khan since he assumed his functions almost a year ago. We welcome the positive cooperation with local authorities, which was highlighted during the Council's recent field mission to Iraq, as well as the contacts maintained with all components of Iraqi society so as to garner collective support for the Investigative Team. The work carried out with regard to its operationalization, the initial activities involved in the collection and analysis of evidence and the discussions on the support it could provide within the framework of national processes are very encouraging.

We also noted with interest the consultations held with the Iraqi authorities on ways to incorporate war crimes, crimes against humanity and the crime of genocide into domestic law, as well as on the possible establishment of specialized bodies to prosecute their perpetrators. That is in line with the efforts by Belgium and other European countries to explore the viability of the various possible avenues of international cooperation to try foreign terrorist fighters.

My country expresses its full confidence in the ability of Mr. Khan and his team to carry out their mandate rigorously. I would like to highlight two issues that are of particular importance to us.

First, with regard to sharing evidence, as an independent and impartial United Nations mechanism, the Investigative Team must ensure that it complies with United Nations policies and good practices, as well as international law. The aim is to follow the established practice of the international tribunals and mechanisms established by the United Nations, whether in the area of procedural guarantees, the protection of victims and witnesses or the non-application of the death penalty.

Secondly, in the context of capacity-building in connection with applying international standards and best practices in the area of justice, it is necessary that all perpetrators of crimes, regardless of their affiliation, be able to answer for their actions before Iraqi courts and tribunals. To that end, in accordance with resolution 2379 (2017), Belgium will explore how it might share its expertise and provide the Iraqi Government with the necessary assistance.

It is in the light of those various objectives that Belgium will continue to monitor the work of the Investigative Team particularly closely during our term on the Security Council. This mechanism represents an immense hope for the many victims, and it is our duty not to let them down.

The President (*spoke in Spanish*): I shall now make a statement in my capacity as the representative of Peru.

We are grateful for the presentation of the second report (see S/2019/407) 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 (UNITAD), Mr. Karim Khan, following our meeting in Baghdad in June organized under the Kuwaiti presidency of the Security Council.

As one of the countries that co-sponsored resolution 2379 (2017), we reiterate our conviction that the work of the Investigative Team is part of a plan, requested by the Government of Iraq, not only to ensure accountability for terrorist acts committed by Da'esh, but also to contribute to reconciliation in the country. In that regard, we reaffirm our support for the Investigative Team to continue to operationalize its mandate in order to carry out its work in an impartial, independent and credible manner in accordance with the Charter of the United Nations and relevant norms of international law, including international human rights law, international

humanitarian law and the policies and best practices of the Organization.

We welcome the relationship of respect and cooperation between the Investigative Team and the Government of Iraq, as well as with the most diverse sectors of Iraqi society, including survivors and local communities, in order that their activities complement the investigations conducted by the national authorities of Iraq. We also highlight the special support provided by the United Nations Assistance Mission for Iraq.

We recognize the importance of prioritizing forensic analyses and exhumations, and we note with interest the excavation carried out in March and April. With regard to gathering evidence, which has only just begun, although it is of particular importance to the Iraqi authorities, we recognize the future potential of using such evidence for the benefit of other States requesting it, in line with the mandate of the Investigation Team.

Lastly, we stress the need to ensure that the Investigative Team has the necessary resources at its disposal to carry out its work.

In conclusion, despite the progress made in combating the Islamic State both in Syria and Iraq, the threat remains present and its influence has permeated other spaces and taken on new traits. We therefore reiterate our support for the Investigative Team, whose success will foster the fight against impunity and the deterrence of new crimes, while strengthening access to justice and the rule of law.

I now resume my functions as President of the Council.

I give the floor to the representative of Iraq.

Mr. Bahr Aluloom (Iraq) (*spoke in Arabic*): At the outset, we would like to I congratulate the Republic of Peru on assuming the presidency of the Security Council for this month. We also thank and express our appreciation to the State of Kuwait for its able leadership of the Council last month. As well, we thank all Council members for their successful visit to Iraq at the end of last month.

I thank Mr. Karim Khan, 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, for his valuable briefing. I commend him for his personal commitment to carrying out his functions with diligence and determination,

including his intensive efforts in line with resolution 2379 (2017), the relevant terms of reference and the highest international standards. I also commend the high level of coordination between the Government of Iraq and the Investigative Team in the appointment of Deputy Head Al-Khafaji, who will provide legal and judicial advice on Iraqi laws and legislation.

We look forward to completing the appointment of Iraqi experts to strengthen the work of the Team under domestic laws and legislation to guarantee accountability and justice. The Government of Iraq is committed to facilitating the work of the Team by calling on all competent Government bodies to cooperate with it and support its mandate to collect and store evidence, while fully respecting Iraq's sovereignty and jurisdiction over crimes committed on its territory.

We emphasize that the work of the Investigative Team must fully respect the sovereignty of Iraq and its jurisdiction over its territory and people. Evidence must be used in independent and fair legal criminal proceedings conducted by Iraqi national courts, in line with applicable international law. Iraqi authorities are the main party in receipt of such evidence. Any other use of such evidence must be in coordination with the Iraqi Government and on a case-by-case basis.

In addition, the Iraqi Government seeks to strengthen coordination with the Iraqi Kurdistan Regional Government on the use of forensic evidence collected from the scenes of crimes committed by the Da'esh terrorist organization. We stress the need to implement the mandate of the Investigative Team related to the strengthening of Iraqi capacity. That is one of the goals of the Iraqi Government — to consolidate specialized national capacity in that regard. We also call for efforts to be redoubled in order to provide technical and substantive assistance to Iraq.

The implementation of the Team's mandate requires strong partnerships with survivors and local communities. We commend the Team's engagement with a large number of survivors of violent acts, such as the survivors of the violence perpetrated by the Da'esh terrorist organization/Islamic State in Iraq and the Levant (ISIL), as well as the witnesses of such violence from all segments of Iraqi society, in areas overrun, occupied and controlled by that terrorist organization. We welcome the field visits conducted by Mr. Khan to those areas, as well as his meetings with religious and tribal leaders and Government officials.

Juveniles' Law No. 11 was enacted in 1962, based on the best and most modern practices in the care, protection and treatment of minors. The law was updated and adapted to respond to Iraq's societal needs in the current circumstances, in order to build a modern society and remove any gaps and inconsistencies in the law. Iraq has also established juvenile courts in all parts of the country. The law is flexible and allows those courts to take the necessary decisions in line with the needs of juvenile delinquents, including alternative decisions based on their situation.

In conclusion, we stress the importance of full coordination and cooperation between the Government of Iraq and the Investigative Team, full respect for the sovereignty and jurisdiction of Iraq and the use of evidence to complement the investigations conducted by the competent Iraqi authorities into crimes committed by the ISIL/Da'esh terrorist organization. Such evidence must be used as part of independent and fair legal criminal proceedings conducted by competent Iraqi courts. We urge the international community to fully support the Investigative Team and promote accountability for the crimes against humanity committed by ISIL/Da'esh terrorists.

The meeting rose at 11.45 a.m.