



Security Council

Seventy-seventh year

Provisional

9206th

meeting

Monday, 5 December 2022, 10 a.m.

New York

President: Mrs. Kamboj (India)

Members:

Albania	Mr. Hoxha
Brazil	Mr. De Almeida Filho
China	Mr. Liang Hengzhu
France	Mrs. Dime Labille
Gabon	Mrs. Onanga
Ghana	Ms. Oppong-Ntiri
Ireland	Mr. Gallagher
Kenya	Mr. Ndung'u
Mexico	Mr. Gómez Robledo Verduzco
Norway	Ms. Heimerback
Russian Federation	Mr. Kuzmin
United Arab Emirates	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland . .	Mr. Eckersley
United States of America	Mr. Mills

Agenda

Threats to international peace and security

Letter dated 7 November 2022 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/2022/836)

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

22-72202 (E)



Accessible document

Please recycle



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

Expression of thanks to the outgoing President

The President: I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Harold Adlai Agyeman, Permanent Representative of Ghana, for his service as President of the Council for the month of November 2022. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Agyeman and his team for the great diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security

Letter dated 7 November 2022 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/2022/836)

The President: 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/2022/836, which contains the text of a letter dated 7 November 2022 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 address the Security Council today to deliver the ninth report of the United Nations Investigative Team to Promote

Accountability for Crimes Committed by Da'esh/ Islamic State in Iraq and the Levant (UNITAD).

Over the reporting period, my Team continued to advance its investigations into international crimes committed by the Islamic State in Iraq and the Levant (ISIL) against all communities of Iraq. The Team continuously engages in constructive and supportive dialogue with Iraqi counterparts, notably with the judiciary, as well as with Iraqi political authorities. Furthermore, the considerations and concerns of all communities impacted by ISIL crimes in Iraq remain at the forefront of the Team's investigative work.

Since I previously reported to the Council (see S/PV.9059), the Team has continued to implement its independent investigative activities in accordance with its mandate and in compliance with its terms of reference. Various lines of investigations have been developed, from purely researching endeavours to dynamic case-building strategies. All that investigative work would not be possible without the close cooperation of the national authorities of Iraq, including the Kurdish region. Allow me to highlight some examples of the progress made.

A key outcome has been the completion of the case assessment focused on crimes committed against the Christian community in Iraq, in particular in the Ninawa plains. The evidence collected and the analysis conducted thus far substantiate preliminary findings from my previous report (see S/2022/434) that ISIL commissioned acts such as the seizing of properties, the looting and destruction of churches and the commission of sexual violence against, and the enslavement and forcible religious conversions of, members of the Christian community. Those acts constitute crimes against humanity and war crimes, including, but not limited to, forcible transfer, persecution, pillage, sexual violence and slavery and other inhumane acts, such as forced conversion, as well as intentional destruction of cultural heritage and religious sites protected under international humanitarian law. In that respect, the Team identified a number of ISIL leaders and members originating from areas nearby, but also from foreign countries, who considerably participated in those attacks.

The Team's investigations into the development and use of chemical and biological weapons by ISIL have notably progressed. Evidence collected continues to support the notion that ISIL manufactured and produced

chemical rockets and mortars, ammunition, warheads and improvised explosive devices, in addition to the development, testing, weaponization and deployment of a range of chemical agents highlighted in my previous report. The Team met with affected communities and Iraqi authorities at several incident sites and has focused on the 8 March 2016 attack against Tazah Khurmatu, which has generated significant volumes of battlefield evidence.

Importantly, UNITAD started to advance with its investigations into ISIL's destruction of cultural heritage in Iraq. Those investigations represent a breakthrough in the landscape of core international crimes investigations. So far, the evidence obtained shows that religious and cultural sites were either intentionally destroyed by ISIL or taken over and occupied, sometimes for military purposes. That resulted in severe damage or destruction to those sites. While the motives and methods adopted by the perpetrators are still being reviewed and analysed, it appears that explosives and heavy equipment were used to destroy many of those heritage sites. Several ISIL fighters responsible for those crimes have already been identified. In collaboration with UNESCO, that ongoing work will provide the basis for a case assessment report, giving a detailed picture of this aspect of ISIL's heinous crimes — crimes that targeted the history and culture of Iraq and that of humanity at large.

In parallel, the Team kept advancing continued support to capacity-enhancement initiatives aimed at directly serving our Iraqi counterparts. Only a few days ago we organized an intensive one-week training course for 19 judges from across Iraq, including the Kurdish region, on international humanitarian and criminal law and its practical use, hosted by the International Nuremberg Principles Academy in Germany. It was the first of its kind on that scale and brought together a range of renowned academics and practitioners, who provided in-depth knowledge on issues of international criminal justice. Along the same lines, in October we held a pilot training course on building cases related to international crimes for 11 investigative judges and prosecutors from the Kurdish region. That will be critical in providing technical assistance to judges on international criminal law and helping to ensure sustainable capacity at the practitioner level for investigating and prosecuting ISIL members for the crimes they committed in Iraq in fair and evidence-based trials in line with international standards.

My Team also continued to support the excavation of several ISIL-related mass graves in Iraq, according to the annual road map agreed to with the Government of Iraq and international partners. The road map's implementation has been made possible through close cooperation with the Mass Graves Directorate of Iraq's Martyrs' Foundation and the medical-legal directorate of its Ministry of Health, as well as with field-based assistance from Kurdish authorities. In close coordination with the same Iraqi counterparts, UNITAD has reached an agreement with the federal authorities of Germany on collecting data and DNA reference samples from the Yazidi community residing in Germany. Based on that agreement, a forthcoming campaign will be organized to collect those reference samples for the purpose of identifying human remains currently held in Iraq, which will eventually enable survivors to mourn their loved ones. As part of that programme, psychosocial support training is provided to Iraqi authorities in order to ensure that international best practices are maintained when dealing with victims and survivors.

Efforts to preserve the evidence of ISIL-related crimes also continued during the reporting period. The Team has so far converted 5.5 million physical pages of documentary evidence into usable digital formats. We are supporting digitization activities at six different sites in Iraq, with a throughput of approximately 100,000 pages per week. More than 30 individual local contractors have been recruited and trained in best practices for evidence collection, preservation and archiving, in order to support the work and sustain that key expertise in Iraq.

UNITAD has been working as part of the United Nations system-wide efforts to address the issue of the repatriation of Iraqi nationals from camps in neighbouring countries. Most recently, just last month, we took part in a meeting of the Technical Working Group for the Implementation of the Global Framework for United Nations Support on Syria/Iraq Third Country National Returnees, as members of the subgroup on security and accountability. The work is done jointly between the United Nations offices concerned, including the United Nations Office on Counter-Terrorism, and the Iraqi national authorities, in particular the National Security Advisory. UNITAD will intensify that important work in accordance with its mandate to contribute to reconciliation and security in Iraq.

I would like to take this opportunity to express my gratitude to our Iraqi counterparts. In October I had the honour of meeting with the new President of Iraq, as well as the Prime Minister and the National Security Adviser, and I have continued meeting with many other counterparts, including the President of the Supreme Judicial Council. I am grateful for the renewed support to my Team's work and for the fruitful cooperation on our existing partnership, notably at the level of the judiciary. UNITAD remains committed to improving modalities of information-sharing with its Iraqi counterparts. Time and again, the Team has expanded and further operationalized arrangements with members of the Iraqi judiciary to allow information to be shared on financial crimes committed in connection with ISIL activities in Iraq. The Team continues to find ways to further share information in line with its terms of reference. In that regard, I remain hopeful that a memorandum of understanding between UNITAD and the National Security Advisory of Iraq will soon be concluded in order to enable the sharing of information for the purpose of supporting the United Nations sanctions regime. The memorandum of understanding, which was jointly drafted, is awaiting the approval process within the Government of Iraq. In anticipation of that, a series of meetings was held to further familiarize relevant Iraqi experts in the listing and application processes.

One of our key goals is supporting Iraq in playing a leading role in holding ISIL members accountable for international crimes. As I mentioned, UNITAD is committed to building the capacities of the judiciary in Iraq to work for fair and just trials in accordance with the applicable standards of the United Nations. We are also encouraging the Iraqi Council of Representatives to consider adopting adequate domestic legislation on core international crimes, such as war crimes, crimes against humanity and genocide. UNITAD stands ready to provide technical assistance to that end, and the recent Government formation gives us hope that such legislation could be prioritized on the agenda soon. UNITAD is firmly committed to supporting Iraq in achieving that goal, in addition to its obligation and commitment to upholding the policies and best practices of the United Nations. The sharing of evidence with the Iraqi judiciary for criminal proceedings can therefore take place only once the respective legal requirements and standards are met in terms of substantive and procedural law.

Additionally, I would like to emphasize that information-sharing with the Iraqi judiciary to support investigative work and ongoing judicial proceedings means a lot more than just handing over a huge box of evidentiary material comparable to thousands, even millions, of puzzle pieces. Promoting accountability for international crimes committed by ISIL in Iraq means delivering tailored assistance in accordance with the needs of the respective investigative court or judge. That could pertain to sharing evidentiary information but can also involve conducting specific training and sharing experience and best practices in terms of handling the huge volume of evidence already in the Iraqi judiciary's possession.

As conveyed in my previous report to the Council, UNITAD has been providing support for their ongoing investigations and prosecutions not only to the Iraqi authorities but also to Member States in various parts of the world. That support continued to increase during the previous reporting period. It is administered in accordance with the Team's mandate to promote accountability for ISIL crimes throughout the world, and where necessary in consultation with the Government of Iraq. So far, 17 Member States have requested assistance from UNITAD to support their national prosecutions. The ability of the Team to collect testimonial evidence from witnesses in direct response to those requests, combined with its capacity to identify corroborating internal ISIL documentation from battlefield evidence, has been of significant assistance in supporting investigations by national jurisdictions within those Member States. Several of the investigations supported by UNITAD are expected to lead to judicial proceedings in the Member States in question in the near future.

Furthermore, the Team continues to assist the Joint Investigation Team, currently consisting of the national prosecutorial authorities of Sweden, France and Belgium. The goal of the Joint Investigation Team is to adjudicate core international crimes committed by ISIL members against the Yazidi community in 2015. UNITAD supports that effort through focused interviews with Yazidi witnesses, both in Iraq and abroad, as well as the collection of battlefield evidence related to Yazidi enslavement networks and specific searches against evidence in our holdings. That work is key to ensuring that wherever they are, the ISIL perpetrators who have committed such heinous international crimes are held accountable before

competent courts. While carrying out the work, the Team takes all necessary measures to minimize the potential retraumatization of witnesses, in line with our commitment to a victim-centred approach.

My Team consistently engages with a wide range of stakeholders, including the national authorities, religious actors, survivor groups and non-governmental organizations (NGOs), to promote accountability for crimes committed by ISIL, both in Iraq and globally. In November, UNITAD co-hosted, with the Embassy of Iraq to Egypt and the League of Arab States, a special event entitled “Command Responsibility, Identifying Leaders and the Role of ISIL Foreign Fighters” in Cairo, the first event of its kind in the region. Cooperation with survivors in the investigative daily work, as well as in the well-established format of the UNITAD-NGO Dialogue Forum, continues to be placed at the centre of the Team’s work to ensure that the interests of the affected communities in achieving accountability for ISIL crimes are fully realized and recognized.

At this pivotal stage of our mandate, allow me to state that my Team has now reached the next level on the path to holding ISIL perpetrators accountable for the core international crimes that they committed. While maintaining the same dedication to our investigative lines and capacity-enhancement activities, UNITAD will also shift towards a stronger and systematic support of individual accountability proceedings of alleged members of ISIL for international crimes before the competent courts. The mandate of UNITAD is not geared towards creating a widely unknown archive behind closed doors, containing the history of ISIL. UNITAD was established by the Council to ensure that the perpetrators of the most heinous crimes committed by ISIL in Iraq are held responsible in courts of law and that justice is served. To promote accountability means to raise awareness among all States Members of the United Nations of UNITAD’s work and to be in regular contact for exchanges with all the competent authorities in Iraq and abroad. Within the coming months, the Team will further improve its capabilities to cooperate with the investigative and judicial authorities in that regard.

My Team remains at the disposal of the Iraqi judiciary and any national jurisdiction committed to indicting ISIL perpetrators for alleged mass atrocity crimes. My Team is ready to support any discussion, sharing of expertise, capacities or analytical products that can serve accountability processes for the core international crimes committed by ISIL.

My Team is now moving at an even more rapid pace to assist justice opportunities for alleged ISIL members if and when they present themselves and regardless of where the perpetrators may reside. UNITAD will not stop ensuring that justice is delivered for the thousands of victims and survivors who have been impatiently waiting to see their day in court.

I thank the Security Council for its continuous support.

The President: 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): Let me start by welcoming the representative of Iraq to the Chamber. We would like to thank the Special Adviser for the expertise and dedication that he and his team have shown in pursuing accountability for the crimes committed by Da’esh.

Four and a half years since the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da’esh/Islamic State in Iraq and the Levant (UNITAD) started its work, the need for justice for Daesh’s appalling crimes is undiminished. As we heard, those were crimes against the people, the history and the culture of Iraq. Nadia Murad told the conference of the International Preventing Sexual Violence in Conflict Initiative, held in London last week, that “survivors around the world do not need a call to action. We need action — period.” UNITAD is a key part of that work, working to deliver justice for survivors. We therefore commend the Government of Iraq for its engagement with UNITAD’s important work.

Let me highlight in particular two areas of progress over the past six months.

First, we welcome the breadth of cooperation between UNITAD and Iraq, as we heard from the Special Adviser. In particular, we welcome the technical assistance in relation to the excavation of several mass grave sites, information-sharing, tailored assistance for investigations and the capacity-building of the Iraqi judiciary and prosecutors, particularly relating to the collection of evidence. We also commend UNITAD’s assistance to Iraq on United Nations sanctions, including its plans to share information, which could help to support designating Da’esh members under the sanctions regime of the Committee pursuant to resolutions 1267 (1999), 1989

(2011) and 2253 (2015), concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities. We look forward to the conclusion of the relevant memorandum of understanding with the Government of Iraq.

Secondly, we welcome the outreach that UNITAD has prioritized with affected communities in Iraq. That has built trust and enabled the collection of testimonies that were used in the prosecution of Da'esh members around the world, drawing on the support and the assistance of UNITAD.

Let me reiterate the importance of collaboration between Iraq, including the Kurdistan Regional Government, and UNITAD. Wide-ranging and comprehensive coordination among all three is crucial for progress. Following Iraq's elections, we are pleased to hear of the relationship that is being built between the new Iraqi Government and UNITAD, and we hope that the collaboration will continue to deepen and deliver justice for survivors.

For our part, we reiterate our strong support for UNITAD's pursuit of accountability for the atrocities committed by Da'esh, both in Iraq and around the world.

Mr. Hoxha (Albania): I am very pleased to see you, Madam President, presiding over the Security Council, and I wish you and your team the best for this month. I thank Special Adviser Christian Ritscher for his ninth report (see S/2022/836) and for the information provided on the advancement of investigations that aim to ensure justice for the victims of Da'esh/Islamic State in Iraq and the Levant (ISIL).

Albania commends the excellent work of the investigative team in Iraq in prioritizing case-building capacities focused on individual perpetrators, collecting, documenting and preserving evidence, witness protection and the inclusive engagement of all affected communities.

The excavation of mass graves and the collection of evidence on a case-by-case basis must continue as the only way to bring about justice for all atrocities committed by ISIL against the various communities, be they Christian, Yazidi or Sunni. I would like to highlight the following key points.

First, we welcome the significant progress achieved across all investigative lines of inquiry, in particular in case-building and information-sharing, including the completion of a first case assessment focused on crimes

committed against the Christian community in Iraq and a more advanced case assessment on the development and use of chemical weapons by ISIL in Iraq. As we heard, evidence of the manufacture and use of chemical weapons is of particular importance.

The collection and review of digital and documentary evidence, including through face-to-face interviews and screenings with witnesses and field missions in several locations, namely, Qaraqosh, Bartalah, Karamlays and Mosul, are a substantive component in moving forward with legal proceedings. That brings about a fundamental change: the heinous crimes committed by ISIL are no longer nameless — the perpetrators have names and faces. That is of the utmost importance, and we agree with the Special Adviser that it takes his work and that of his team to another, higher level.

Secondly, delivering justice has never been easy. We know that the justice system may be slow, but it should grind fine. Although a great deal has been done in such a complex environment, much more still needs to be done. We support the call for strengthening the coordination of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) with the Iraqi authorities, all affected communities, civil society and, in particular, the victims and their families.

Thirdly, despite the ongoing efforts and progress in countering ISIL/Da'esh and their affiliates, as we have repeatedly highlighted in the Council, they still represent an imminent threat in various regions, and the spread of ISIL in Africa remains of the utmost concern. Sharing information with the relevant Member States therefore remains crucial in order to enable the prosecution of those responsible for financing, supporting and executing terrorist actions worldwide, as well as for capacity-building.

Bearing in mind the paramount importance of accountability, we welcome the excellent cooperation with the Iraqi Government and encourage it to further strengthen cooperation with UNITAD in order to promote evidence-based trials and move forward to the next level of holding perpetrators responsible in a court of law. We reiterate our call to the Iraqi authorities to adopt adequate legislation on core international crimes for the prosecution of such crimes.

Ending impunity will help the Iraqi people to rebuild a better and peaceful future. It is also a

reminder for all perpetrators anywhere that they will be held accountable for their actions and made to answer for their crimes. Albania supports the implementation of the Team's strategic vision in moving ahead by prioritizing the completion of case assessments in the areas of investigation, while we call for special attention to be placed on the needs of victims and their families, including through additional efforts to ensure special protection and assistance for women and children.

Lastly, we welcome the establishment of a new Government in Iraq and hope that it will continue to pay special attention, first and foremost, to promoting justice and accountability for the Iraqi people.

Mrs. Dime Labille (France) (*spoke in French*): Let me first commend Ghana's outstanding presidency of the Security Council last month and wish you, Madam President, every success this month.

I thank Mr. Christian Ritscher, Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD), for his presentation of the Team's ninth report (see S/2022/836), submitted pursuant to resolution 2651 (2022). I welcome the presence of the Permanent Representative of Iraq, which reflects Iraq's commitment to working closely with the international community and UNITAD to ensure justice for all the victims of crimes committed on its territory. We commend all the members of UNITAD for their outstanding work under sometimes difficult conditions, and we renew our support for their efforts.

Thanks to UNITAD's work on the ground in cooperation with national and local authorities, significant progress has been made. We underscore the important support that UNITAD has continued to provide for the exhumation of mass graves at the sites of the mass crimes perpetrated by Da'esh, as well as the progress made in the investigation of the development and use of chemical and biological weapons and the destruction of cultural and religious sites by Da'esh. UNITAD's achievements in digitizing evidence are critical to preventing the loss or degradation of evidence. We encourage UNITAD to pursue that work, which is at the core of its mandate.

Addressing the situation of the victims of Da'esh must remain our primary concern. The victim-centred and gender-sensitive approach that guides UNITAD's work is essential for achieving that goal. We highlight the Investigative Team's continued engagement with

Iraqi civil society. That critical dialogue has enabled the gathering of valuable testimony to advance the investigations and shed light on the scope and gravity of the crimes committed by Da'esh. The fight against impunity for the crimes committed by Da'esh requires effective cooperation between UNITAD and the Iraqi Government, in particular the training of Iraqi investigative judges in international criminal law, the preparation of indictments and the prosecution of members of Da'esh for war crimes, crimes against humanity and genocide. We encourage the Iraqi authorities to continue communicating with UNITAD on those issues. France calls on all States concerned to support the work of UNITAD through increased cooperation. France is proud to support UNITAD through voluntary contributions. It is also important to recall the long-standing United Nations position not to share information in judicial proceedings, regardless of their location, that might result in the death penalty.

In conclusion, France reiterates its commitment to the fight against terrorism and combating impunity. The threat posed by Da'esh has not disappeared. The terrorist organization continues to carry out deadly attacks on a regular basis. Together with its partners, France will continue to stand by Iraq in the fight against terrorism and remains determined to pursue its activities in order to ensure the permanent defeat of Da'esh. The Minister for Europe and Foreign Affairs met with Nadia Murad on 11 November. The Minister reassured her that France would continue to participate in 2023 in the reconstruction of the Sinjar region of Iraq, home to most of the Yazidi community on which horrific crimes were inflicted by Da'esh, in particular by building a hospital that has received substantial financial support from France in partnership with Nadia's Initiative. Faced with the risk of the resurgence of Da'esh, the Security Council must remain prepared to act, including by supporting the work of UNITAD. The fight against impunity for all those who have committed crimes is imperative for stabilization, reconstruction and the reconciliation of the Iraqi people as a whole.

Mr. Abushahab (United Arab Emirates) (*spoke in Arabic*): I take the opportunity to congratulate Ghana on its outstanding and effective presidency of the Security Council last month and to wish you, Madam President, every success this month. I also 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 his valuable briefing on its work. I welcome the presence of Ambassador Bahr Aluloom of Iraq at this meeting.

I would like to begin by paying tribute to the efforts of UNITAD in conducting investigations and collecting evidence about the crimes committed by Da'esh against the Iraqi people, including those constituting crimes against humanity and genocide. UNITAD efforts in that regard have culminated in the completion of five cases. We welcome the progress made in the investigations related to the crimes perpetrated by Da'esh against the Christian community, as well as the progress made in the investigations related to the development and use of chemical and biological weapons by Da'esh. We hope that UNITAD's efforts will contribute to strengthening the capabilities of the relevant Iraqi authorities in holding Da'esh accountable for its terrorist crimes.

We recall that, as a sovereign State, Iraq has the primary responsibility to investigate the crimes committed by Da'esh on its territory and to hold the perpetrators accountable in accordance with resolution 2379 (2017), which recognizes that the relevant authorities in Iraq are the primary intended recipient of the evidence collected by UNITAD. We call upon the Team to share the evidence with the relevant Iraqi authorities, in compliance with resolution 2651 (2022). In the context of sharing information obtained by UNITAD with third countries to support the prosecution of Da'esh criminals, we urge advanced coordination with Iraq. We also urge the Team to keep the Council abreast of developments and of the efforts made to overcome the challenges in that regard. We hope to see more progress in the upcoming period, given that the survivors of Da'esh crimes in Iraq and the relatives of the victims still await justice.

In order for the Team to be successful in implementing its mandate, there is a need to maintain communications between the members of the team and Iraqi officials at all levels and to cooperate with the Iraqi judicial authorities through information-sharing, training and capacity-building. Many families in Iraq still await the completion of the examination of the remains recovered from mass graves in Sinjar, Tall Afar and elsewhere, as well as the identification of the victims' identities so that they can be buried with dignity. We appreciate the progress made in returning the remains of Yazidi victims as families prepare for that in the coming months. We also welcome UNITAD's efforts to reconstruct crime scenes and

uncover the circumstances related to mass graves using advanced technology. My country supports UNITAD's investigations into the destruction by Da'esh of cultural and religious heritage sites in Iraq, in cooperation with UNESCO, while stressing the importance of holding the perpetrators accountable. It is also important to continue to rebuild the sites and monuments that were damaged or destroyed, which will require concerted international efforts in order to revive that human and cultural heritage and give it back to the Iraqis and humankind as a whole.

In conclusion, we urge the international community to support the efforts of Iraq and UNITAD in promoting accountability for Da'esh crimes. In the coming period, we will continue to follow UNITAD's efforts, including its investigations into Da'esh crimes against children and crimes of sexual violence. We also support the Team's focus on expanding investigations into Da'esh's financial resources and its exploitation of Iraqi oil to finance its crimes. We will be unable to totally eradicate terrorism if we do not dry up its funds.

Mr. Liang Hengzhu (China) (*spoke in Chinese*): I would like to take this opportunity to congratulate the delegation of Ghana on its successful presidency of the Security Council last month. We believe that under India's leadership this month the Security Council will achieve every possible success. China thanks Special Adviser Ritscher for his briefing and welcomes the representative of Iraq to today's meeting.

Da'esh committed egregious crimes in Iraq in the past and continues to carry out activities to this day. Assisting Iraq in investigations, evidence collection and accountability efforts is vital to the fight against terrorism and to the pursuit of justice. We have read the ninth report 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) (see S/2022/836) and welcome the overall encouraging progress that UNITAD has made in gradually uncovering the crimes committed by Da'esh against innocent people in Iraq, as well as its destruction of cultural heritage and its development and use of chemical weapons and terrorist financing, among other things. We also welcome the Team's continued close cooperation with the Iraqi Government in promoting the digitization and archiving of evidence and in enhancing Iraq's judicial capacity-building.

The collection of evidence is not the end of those efforts. The international community expects that the large amounts of evidence that UNITAD has obtained will be used in the work of the Iraqi judicial authorities and translated into practical results in their quest to hold terrorists accountable for their actions. That is also why the Security Council took the decision to establish UNITAD at the request of Iraqi Government in 2017. In its adoption in September of resolution 2651 (2022), on the UNITAD mandate renewal, the Council once again underscored the importance of sharing evidence with the competent Iraqi authorities in a timely manner. China welcomes the fact that the Team shares with Iraq its findings on the financial activities of Da'esh and hopes that the Team will begin a comprehensive, systematic and complete evidence-sharing process without delay. Iraq's domestic laws and legislative process have no bearing on the Team's mandate and should not be linked to the issue of evidence transfer or handover.

When sharing the information collected in its work with other Member States, UNITAD should first and foremost obtain prior consent from Iraq, adhere to the principles of transparency and non-discrimination and include details of that work in its reports to the Council. It is important to emphasize that UNITAD is a temporary transitional arrangement that was set up by the United Nations in support of Iraq's accountability efforts. It should not become a permanent body. UNITAD's May 2021 report (S/2021/419) outlined a preliminary vision of its completion strategy, and we expect it to consult with Iraq on the issue to further refine the strategy and define its performance indicators and a specific timetable.

Terrorism is a public enemy of humankind. Counter-terrorism knows no borders. The international community should continue to support Iraq's efforts to counter terrorism, while pursuing accountability for terrorist crimes in line with Iraq's domestic laws and addressing the issue of foreign terrorist fighters in Iraq. The countries concerned should take responsibility and respond to the Iraqi Government's appeal to speed up the repatriation of such fighters in Iraq. Countries should also strengthen their cooperation under the auspices of the United Nations, oppose terrorism in all its forms, remain resolute in the fight against terrorist groups listed by the Council, avoid the politicization of counter-terrorism issues and reject double standards.

Ms. Oppong-Ntiri (Ghana): Let me first join others in congratulating you, Madam President, on your country's assumption of the presidency of the Security Council, and assuring you of our full support during the month of December. I thank Special Adviser Christian Ritscher for his briefing on the ninth report 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) (see S/2022/836), which reflects the progress made by the Investigative Team during the reporting period in ongoing investigations. My delegation would also like to welcome the Permanent Representative of Iraq to today's meeting.

As the Council has repeatedly stated, pursuing justice and seeking redress for the victims of heinous international crimes committed by the Islamic State in Iraq and the Levant (ISIL) is a collective duty that we owe to international justice and to humankind. Any failure on our part to establish meaningful accountability for atrocities committed by ISIL will only undermine the global fight against terrorism, thereby diminishing the aspirations of victims and survivors for justice. We must not allow that to happen. Ghana holds the view that maintaining the momentum in the global response to accountability for atrocities committed by ISIL is crucial if we are to deal decisively with the scourge of terrorism and violent extremism. Although the pursuit of accountability and justice is a painstaking process, Ghana is encouraged by the significant progress that the Team continues to make to bringing ISIL perpetrators to justice.

We are particularly pleased to note that during the reporting period the Team continued to intensify its focus on transitioning from investigating to building targeted case files focused on individual perpetrators, including through capacity-building efforts. That phase of the work of UNITAD is crucial if we are to advance the delivery of its mandate and move the accountability process forward through the transfer of evidence gathered by the Team to Iraqi authorities and the subsequent prosecution of individuals responsible for international crimes.

We also welcome the progress made across all investigative lines of inquiry during the reporting period, particularly the completion of a first case assessment focused on crimes committed by ISIL against the Christian community in Iraq, as well as deeper insights into the development and use of

chemical and biological weapons. As well as attesting to the Team's commitment, those developments are critical to the evidence-gathering process in support of domestic investigations and prosecutions that can deliver justice to victims and survivors. In that context, we look forward to the completion during the next reporting period of the case assessment reports on the destruction of cultural heritage by ISIL in Iraq, ISIL leadership and hierarchical structure in Mosul and Tal Afar and crimes committed by ISIL against other communities in and around Sinjar.

UNITAD's commitment to enhanced cooperation and improved information-sharing with the Government of Iraq remains vital to the implementation of its mandate. We applaud the Team for its continued cooperation with the Iraqi authorities and encourage it to continue to sustain the healthy cooperation and coordination that have characterized its relationship with Iraq's political and judicial authorities. In a similar vein, we would like to emphasize that any comprehensive attempt to establish global accountability for the crimes perpetrated in Iraq must continue to include UNITAD's cooperation with other Member States. In that regard, we urge the Team to build on its accomplishments and continue to improve how it supports domestic processes around the world.

In conclusion, I would like to reiterate Ghana's support for the work of UNITAD under the leadership of Special Adviser Christian Ritscher, as well as its expectations for the successful implementation of the Team's mandate, which is critical to delivering justice for victims and genuine national reconciliation.

Ms. Heimerback (Norway): I congratulate India on its assumption of the presidency of the Security Council and thank Special Adviser Ritscher for his comprehensive briefing.

Accountability for the crimes committed in Iraq by the Islamic State in Iraq and the Levant (ISIL) is a prerequisite for the rule of law and sustainable peace in the country. We commend the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) for its continued progress on key investigative tracks during the reporting period, including improved evidence-processing time.

Regarding the Team's initial priority investigations, we welcome the evolution of efforts from structural case assessments to specific briefs supporting the

prosecution of individual perpetrators. That is a crucial step towards accountability. We also welcome the progress reported in other investigations, including ISIL's crimes against Iraq's Christian population. It is deeply concerning that the evidence collected has further strengthened the preliminary findings that ISIL has committed acts constituting crimes against humanity and war crimes against that minority group. There must be no impunity for such acts. Furthermore, we commend advancements in the Team's ongoing thematic investigation into ISIL's sexual and gender-based crimes and crimes against children. The evidence obtained serves as a stark reminder of ISIL's depravity. We continue to applaud UNITAD for consistently employing an age- and gender-sensitive approach in its work, and we note that the Team's provision of psychosocial support to vulnerable witnesses is a best practice for investigations of that kind. Norway commends Iraq for its close cooperation with, and support for, UNITAD. Results in accordance with the Team's mandate depend largely on that close partnership with the national authorities.

However, we regret that domestic legislation to establish a legal basis for prosecuting ISIL's atrocities in Iraq as international crimes is still pending. We also regret that the Government of Iraq has not adopted a moratorium on the use of capital punishment, which would allow UNITAD to share the evidence collected with the Iraqi authorities in accordance with its terms of reference and core mandate. We urge further progress in that area.

The depth, breadth and speed of the work that UNITAD has reported over the past two years has been a source of optimism during Norway's term as an elected Council member. The Team serves as a timely example of the impactful and innovative solutions that the Council is capable of when it overcomes political gridlock and unites in pursuit of international peace and security. I once again thank Special Adviser Ritscher and UNITAD for the Team's tireless efforts to ensure accountability for ISIL's crimes. Norway continues to support the Team and the Iraqi people in that endeavour.

Mr. Kuzmin (Russian Federation) (*spoke in Russian*): I congratulate Ghana on its presidency of the Security Council during November and wish you and your delegation, Madam, every success in December.

The Russian Federation closely follows the activities of the United Nations Investigative Team

to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (ISIL) (UNITAD). We are grateful to Special Adviser Ritscher for submitting its ninth report (see S/2022/836). We welcome the finalization of preparations for a case assessment report on the investigation of crimes against the Christian community. We hope that the Team will maintain its momentum and that, by the time of our next meeting in the Council, it will also have completed its preparation of reports on the crimes of ISIL against other communities. We believe that the Team's directive to closely investigate cases involving the destruction of cultural and religious heritage by terrorists is perfectly correct and noted the information stating that such sites were not only intentionally destroyed by ISIL but also seized for criminal purposes. We hope to receive detailed data and conclusions on all such cases by the end of the next reporting period.

We acknowledge the progress made by the Team in investigating the development and use of chemical and biological weapons by terrorists in Iraq. The report makes it clear that there are no isolated cases — ISIL had a full-fledged chemical programme that included the production of a variety of chemical projectiles and their regular use. The attack on Tazah Khurmatu on 8 March 2016 is far from being the only case in which terrorists employed chemical weapons. We have no doubt that ISIL has made use of its development of chemical weapons in other countries, including neighbouring Syria. The wide geographical scope of ISIL's criminal activity is clearly evidenced by the links established by the Investigative Team between the terrorists and criminal networks, both locally in Mosul and Baghdad and on a regional scale, the influence of which has expanded throughout the Middle East and the Persian Gulf region.

We welcome UNITAD's efforts to provide evidentiary material on ISIL's crimes in Iraq. At the same time, we note that the collection and accumulation of evidence cannot be an end in itself and will not by itself lead to the punishment of the perpetrators. The task of the Investigative Team, in accordance with its mandate, is first and foremost to support the efforts of Iraqi national law enforcement and judiciary bodies to hold members of ISIL to account in accordance with resolution 2379 (2017), which identifies the Iraqi authorities as the primary recipients of the evidence gathered by the Team. We sincerely hope that key part

of the mandate will not be ignored and that the evidence will be handed over to Iraq as soon as possible.

Mrs. Onanga (Gabon) (*spoke in French*): I join others in thanking you, Madam, for organizing this briefing on the ninth report (see S/2022/836) of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ Islamic State in Iraq and the Levant (UNITAD), submitted in accordance with resolution 2651 (2022). I am grateful to Mr. Christian Ritscher for the very detailed information provided on the status of the ongoing investigations during the reporting period. I also welcome the representative of Iraq to this meeting.

Gabon supports the Security Council's strategy on preventing the proliferation and use of chemical weapons by both State and non-State actors, such as terrorist organizations. The accountability mechanism established in Iraq, which is based on criminal justice and the rule of law, is essential for the maintenance of international peace and security, as it promotes the fight against impunity and ensures access to justice for local communities affected by the war crimes, crimes against humanity and crimes of genocide committed by Da'esh against the Yazidi people.

We welcome the significant progress made in advancing the comprehensive investigations under way and in strengthening the judicial capacity of local jurisdictions, including those of Kurdish entities. We note with satisfaction the spirit of mutual cooperation and assistance between UNITAD and the relevant Member States in the investigation process, which will allow for the enhanced involvement of the jurisdictions of those countries in the ongoing proceedings. The specific focus of the Team on the ground on strengthening cooperation with the Iraqi judicial authorities, including the support of stakeholders, in relation to the crimes committed by Da'esh against Christian communities and crimes relating to the alleged use of chemical and biological weapons against the population of Tazah Khurmatu represents a significant step forward. In that regard, the new digital evidence obtained is crucial in clarifying the impact on the victims of Da'esh chemical and biological weapons attacks, as well as the material damage done to property and the environment. Furthermore, the discovery of clear evidence of the existence of a Da'esh-orchestrated operations centre, as well as the involvement and financial support of organizations such as Bayt Al-Mal and Diwan Al-Jund,

undoubtedly confirm the particular relevance of those investigations.

We welcome the judicious use of state-of-the-art technology, in particular new strategies for accelerating the digitization of evidence documents throughout the reporting period, as well as the launch of the Zeteo project on facilitating the visualization of analysis and evidence in a highly advanced format. Such technologies will not only facilitate access to those documents but also save time.

Given how fundamental the continuation of dialogue is in that sensitive context, Gabon hopes that the new Government in Baghdad will engage in the necessary cooperation in order to finalize the investigations and the memorandum of understanding, which should help to identify areas in which capacity-building of the Iraqi national judiciary is needed. Furthermore, the involvement of civil society is indispensable, in particular for the provision of assistance to victims of sexual violence, as well as to children who have suffered mistreatment and abuse in the context of their recruitment as child soldiers.

In conclusion, we would like to emphasize the urgent need to create the conditions for restorative justice for the suffering of the Iraqi people, in particular the Yazidi communities, in relation to the war crimes, crimes of genocide and crimes against humanity committed by Da'esh. It is imperative that an inclusive approach is adopted in order to maximize the gathering of information so as to definitively ensure the establishment of the facts.

Mr. Gómez Robledo Verduzco (Mexico) (*spoke in Spanish*): Mexico is pleased to see you presiding over our work, Madam President. We could not have imagined a better conclusion of our mandate as an elected member of the Security Council.

The crimes committed by the Islamic State in Iraq and the Levant, including those targeting Christian communities, deserve our full determination to punish those responsible by all legal means at our disposal.

We thank Mr. Christian Ritscher and his Team for their comprehensive presentation of the ninth report (see S/2022/836) on the progress of 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), in accordance with resolution 2651 (2022). In addition, we

value the presence in today's debate of the Permanent Representative of Iraq.

Mexico reiterates the great importance of cooperation between UNITAD and the Iraqi authorities, in particular with the judiciary and law enforcement agencies. In that regard, we acknowledge improvements in information-sharing and hope that it continues to improve. We also recognize the value of working closely with Kurdish authorities and with various actors in Iraqi society, such as religious leaders, survivors' groups and non-governmental organizations, with a view to promoting national and regional reconciliation, which is only possible through truth and justice.

We also reiterate our call on the Iraqi authorities to make the necessary changes to their legislation in order to enable the prosecution of individuals for war crimes, crimes against humanity and genocide through trials with full due process. We recognize Iraq's cooperation in that regard, but urge the Government to make progress in the adoption of the relevant legislation and to consider a moratorium on the imposition of the death penalty for all of the reasons Mexico has always asserted.

Mexico agrees with UNITAD's intention to give greater visibility to the results of its work at the international level, in view of the fact that the availability of solid evidence and investigations can stimulate the initiation of more trials, including in the domestic systems of other countries, through the exercise of universal jurisdiction.

Finally, we acknowledge the progress in the work of mass grave excavation and investigation through the use of technology, always putting the victims at the centre of the Team's work. In particular, we note the completion of excavation work in five mass graves during the months of June and July, as well as Germany's cooperation in the identification of human remains.

In conclusion, Mexico reiterates its support for the work of UNITAD and reaffirms its conviction that reliable and evidence-based judicial procedures are the best way to achieve the justice and truth that the victims of the most heinous crimes committed by the Islamic State in Iraq and the Levant well deserve.

Mr. Mills (United States of America): We thank Special Adviser Christian Ritscher for his briefing.

We are encouraged by 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) has made as it works to deliver accountability for the heinous crimes that the Islamic State in Iraq and the Sham (ISIS) has committed.

As my Albanian colleagues noted as well, ISIS remains a critical threat in Iraq and globally. We have seen the terrorist group continue to use violence in Syria and Iraq and seek to refill its ranks by trying to break out captive ISIS fighters from detention centres and prisons. We continue to credit UNITAD's patient work of gathering, digitizing, analysing and cataloguing evidence of ISIS crimes. That effort is laying a foundation for future prosecutions based on comprehensive evidence, including battlefield evidence. The increasing capability to develop case files against individual perpetrators is a demonstration that the groundwork is paying off.

We welcome UNITAD's report (see S/2022/836) of strong cooperation between the Team and Iraqi courts and other national authorities that are requesting information from it for investigations and prosecutions. We encourage the new Iraqi Government to continue to expand on the relationship established by its predecessors, and we commend the Special Adviser for having met with the new Iraqi leadership. The United States also welcomes the memorandum of understanding between UNITAD and the Government of Iraq that would enable information-sharing in order to support United Nations sanctions nominations. We look forward to the Council of Ministers approving the memorandum. We note that UNITAD's work can assist in the completion of transparent prosecutions against ISIS members that will meet minimum fair-trial guarantees and legal protections. We encourage the Government of Iraq to adopt legislation on international crimes, notably genocide, war crimes and crimes against humanity.

The continued presence of thousands of ISIS foreign fighters in detention centres and their associated family members in displacement camps in Syria and Iraq must be addressed. Those facilities are targets for attack by ISIS and for additional radicalization to violence, underscoring the urgency for all States to repatriate and prosecute those who have committed crimes, as appropriate. We commend Iraq and other nations for repatriating their nationals from those camps, and we urge the Iraqi Government to restart such repatriations. The United States welcomes UNITAD's commitment

to support domestic legal proceedings by States that have repatriated individuals who travel to Iraq and Syria to join ISIS and engage in terrorist activity. We urge all States whose nationals committed crimes as foreign fighters and are detained to engage UNITAD to take advantage of the valuable assistance the Team can provide in investigating and prosecuting these individuals.

In conclusion, UNITAD has clearly established itself as an effective investigative body, and we are proud to assist the Team when possible. We look forward to subsequent UNITAD reports on its continued progress in helping to deliver accountability for the depraved crimes of ISIS and a measure of justice for the victims.

Mr. Gallagher (Ireland): Let me join others in congratulating you, Madam President, on assuming the presidency of the Security Council.

We thank Special Adviser Ritscher for his report (see S/2022/836) and briefing this morning. I want to assure him of Ireland's steadfast support for his work in delivering justice for the victims and survivors of atrocity crimes committed in Iraq by the Islamic State in Iraq and the Levant (ISIL). We also join others in welcoming our colleague, the Ambassador of Iraq, to the Chamber today.

Ireland welcomes the progress achieved by the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) across all investigative lines of inquiry during the reporting period. We also recognize the cooperation afforded by the Government of Iraq, the Iraqi judiciary and the authorities of the Kurdistan Regional Government.

The completion of the first case assessment focused on crimes committed against the Christian community in Iraq marks an important moment for accountability in Iraq. The evidence collected to date strengthens the Team's preliminary findings that ISIL commissioned acts constituting crimes against humanity and war crimes against the Christian community, including sexual violence and slavery. We also commend UNITAD for its completion of an initial analysis of the horrific crimes committed by ISIL against the lesbian, gay, bisexual, transgender and intersex community, including the public executions of men and boys accused of being gay. Moreover, UNITAD's continued attention to the thematic investigation into sexual and gender-based violence perpetrated by ISIL is welcome.

UNITAD's interviews with older Yazidi men who were enslaved will contribute to a broader understanding of the scope of gender-based violence inflicted by ISIL against the Yazidi community. More broadly, we welcome the fact that the Team has placed cooperation with victims, survivors and civil society at the heart of all its investigative work.

As we heard today from the Special Adviser, the reporting period was defined by a shift from investigations towards the identification of the perpetrators most responsible for atrocity crimes, as well as the building of targeted cases. While that is welcome, moving from evidence-gathering to evidence-based trials requires further action. Key to holding ISIL perpetrators to account is the adoption of national legislation that enables the domestic prosecution of war crimes, crimes against humanity and genocide. Ireland regrets the delay in enacting such legislation. We call on the Iraqi authorities to progress that initiative as a matter of priority. We note UNITAD's readiness to support any such efforts. Once again, Ireland reiterates its firm view that such legislation must preclude the application of the death penalty.

United Nations sanctions are an indispensable component of the Security Council's toolbox for holding members of ISIL accountable for their actions. Ireland is therefore encouraged by the ongoing efforts of UNITAD and the Iraqi authorities to cooperate on United Nations sanctions listings, including possible designations under the sanctions regime of the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015). We look forward to the Council of Ministers approval of the memorandum of understanding authorizing the sharing of information in those types of cases.

Finally, the technical assistance and support provided by UNITAD to the Iraqi authorities is wide-ranging and comprises evidence digitization and preservation, forensic expertise, the excavation of mass graves and the provision of training to judges and investigators. That is important work, and we urge its continuation. Beyond Iraq, we also welcome the growing assistance provided by UNITAD to support investigations by national authorities in a range of jurisdictions, including in Europe. Before I conclude, let me reiterate to the Special Adviser Ireland's strong support for UNITAD's crucial work.

Mr. De Almeida Filho (Brazil): Let me start by congratulating Ghana on its successful presidency of the Security Council during the month of November. I also want to wish you, Madam, as well as your team, all the best during the month of December. We know that we are in good and firm hands. I also welcome the Permanent Representative of Iraq to today's meeting. We thank Special Adviser Christian Ritscher for his informative and comprehensive briefing.

In September, Brazil voted in favour of extending the mandate of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) for another year (see S/PV.9131), at the request of the Government of Iraq, because we understand the importance of supporting Iraqi efforts to hold Da'esh members accountable for international crimes committed in Iraq.

We commend UNITAD's constructive cooperation with the Iraqi judicial authorities, while always recalling the key importance of respect for Iraq's sovereignty as a guiding principle in the Team's relations with the host country. Evidence collected within Iraq, for example, must be shared with the competent local authorities. UNITAD was established under resolution 2379 (2017) primarily to assist Iraq in exercising its right to prosecute Da'esh members for crimes falling within its territorial jurisdiction. That resolution was adopted under Chapter VI of the Charter of the United Nations at the request of the Government of Iraq.

Brazil welcomes the continuing progress in all lines of investigation conducted by UNITAD. Nevertheless, we observe that after, more than four years of UNITAD operations, such progress has yet to lead to concrete results, at least in terms of prosecutions by the Iraqi judiciary — the primary intended beneficiary of UNITAD's activities. The persistence of that situation should not be taken, however, to justify a departure from UNITAD's mandate. Specifically, the sharing with third countries of evidence obtained in Iraq for the purposes of prosecution elsewhere should not be deemed a substitute for, or take precedence over, UNITAD's mission to support accountability in Iraq. That is not to mention, of course, that any sharing of evidence outside Iraq requires the consent of the competent Iraq authorities.

We have taken note of UNITAD's efforts, including through the negotiation of a memorandum

of understanding with Iraq, aimed at supporting Iraqi authorities in the preparation of listing requests to the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015). Brazil welcomes those efforts, which should contribute to expediting UNITAD's sharing of evidence with the host country. At the same time, we caution against the setting of arbitrary conditions for the sharing of information with Iraq. Endeavours to build and strengthen capacities in Iraq are an important means of supporting local authorities in delivering justice for Da'esh crimes and bringing UNITAD closer to fulfilling its mandate. Brazil welcomes those endeavours and notes Iraq's appreciation for its partnership with UNITAD.

Finally, Brazil commends UNITAD's efforts to increase the representation of Iraqi nationals in its staff, as well as the gender balance achieved, including in senior positions. We encourage further efforts to ensure geographical balance as well, without losing sight of the fact that UNITAD remains a temporary arrangement that is mandated to support Iraq authorities in pursuing accountability for crimes that fall primarily within Iraq's own national jurisdiction.

Mr. Ndung'u (Kenya): I join others in commending Ghana for its leadership of the Security Council during the month of November. I also congratulate you, Madam, and extend Kenya's best wishes to the Indian delegation during its presidency of the Council this month. 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 Richter, for his briefing, and welcome the participation of the Permanent Representative of Iraq in today's meeting.

Kenya takes note of UNITAD's ninth report (see S/2022/836), in particular the progress made by the Team into investigations of international crimes committed by Da'esh in Iraq, especially its completion of an additional case assessment report on crimes against the Christian community. The successful compilation of evidence to build up that strong case file significantly strengthens the primary findings that the Islamic State in Iraq and the Levant did indeed commit crimes against humanity and war crimes against communities in Iraq. We commend UNITAD for its continued investigations and for having finalized six case assessments to date.

Kenya supports efforts to hold to account the prominent leaders and members identified as having perpetrated the atrocious crimes, including the 2014 attacks against three Christian towns in Ninawa plains, as well as mass killings, forcible transfers, persecution, sexual violence and slavery, among others. We welcome the ongoing specialized investigations to unearth additional evidence into sexual and gender-based crimes and the financial networks, both local and regional, that offered material support to Da'esh to carry out its international crimes. The effective execution of UNITAD's core investigative mandate cannot be fully realized without the cooperation of the Iraqi Government. We want to commend the close collaboration with the Iraqi authorities in that respect.

We note UNITAD's concerns on sharing evidence with the Iraqi Government. We appreciate the range of initiatives designed by UNITAD to facilitate information-sharing, including the negotiations on a memorandum of understanding and providing information to a select group of investigative judges. Nevertheless, we observe that such a practice limits the scope of the partnership with the Government of Iraq and its capacity to pursue justice and accountability for crimes committed on its territory.

It is the sovereign and primary responsibility of the Iraqi Government to determine how to utilize evidence to prosecute the perpetrators of those despicable crimes. Kenya therefore urges UNITAD and the international community to support efforts to integrate international crimes into the Iraqi legal system. That will provide a basis for the prompt sharing of all collected evidence and for the Iraqi Government to prosecute the offenders and pursue justice for the families and victims without further delay.

To promote global accountability for terror activities and other international crimes committed by members of Da'esh and other terrorist groups, including Al-Qaida, its affiliates and fellow foreign terrorist fighters in Africa and elsewhere, Kenya urges the Security Council to apply the full force of counter-terrorism measures in equal measure, without any distinctions based on political considerations.

In conclusion, Kenya affirms its commitment to supporting the Iraqi Government in its pursuit to hold Da'esh accountable for its atrocities and to promoting justice for its people. We commit to Iraq's territorial integrity, stability and prosperity.

The President: I shall now make a statement in my capacity as the representative of India.

I thank Special Adviser Christian Ritscher for his briefing. I also welcome the Permanent Representative of Iraq to this meeting.

The world was witness to the heinous and dastardly crimes committed by the Islamic State in Iraq and the Levant (ISIL) against innocent Iraqis, including those from its diverse ethnic and religious communities. Victims of ISIL's horrific crimes in Iraq also include 39 Indian nationals. 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) seeks to render justice to those victims, their families and the survivors of such crimes. UNITAD's relevance is also underscored by the importance of accountability for reconciliation in a post-conflict Iraq. In that regard, we welcome the ongoing cooperation between the Iraqi authorities and UNITAD.

India recognizes the valuable work of UNITAD in promoting accountability for crimes committed against the people of Iraq. In addition to the political support for UNITAD's mandate, India has also extended financial support to the Team to strengthen the pursuit of accountability. India's financial contribution to the UNITAD Trust Fund has supported the production of a substantive case-assessment report on the development and use of chemical and biological weapons by ISIL. It has also contributed to the expansion of UNITAD's investigations into the destruction of the cultural and religious sites of the different Iraqi communities and minorities.

We understand the significance of case-building and information-sharing in the work of UNITAD. Those are important steps. However, the key to advancing full accountability is the timely sharing of evidence collected by UNITAD with the Iraqi authorities that will be used in the trials of ISIL perpetrators in Iraqi courts. The Security Council has also emphasized the importance of UNITAD sharing evidence with the relevant Iraqi authorities in a timely manner. We encourage UNITAD to work towards that objective in close cooperation with the Government of Iraq.

Terrorism in all its forms and manifestations remains a global challenge, and only a unified and zero-tolerance approach to terrorism can eventually defeat it. As the Government and the people of Iraq continue

their fight against ISIL, it is also critical to fight the impunity of terror globally.

Last week, the victims of the 26/11 Mumbai terrorist attacks were remembered in India and several other countries. Be it Mumbai or Mosul, India strongly believes that the credibility of our collective fight against terrorism can be strengthened only once we can ensure accountability for the grave and inhuman acts of terror committed by terrorists and take strong measures against those who encourage, support and finance terrorism.

Since this is the last scheduled meeting on Iraq during our tenure in the Council, I take this opportunity to thank the Permanent Mission of Iraq for its excellent cooperation with the Indian delegation during our tenure. We are also grateful for the cooperation and support extended by the Iraq team of the Department of Political and Peacebuilding Affairs and the Special Adviser and his team.

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 beginning of my statement and on behalf of my country, I would like to express my thanks and gratitude to the United Nations for its efforts, along with its organs and agencies and through its resolutions, recommendations and decisions. I would also like to thank the international community for all its efforts to support Iraq in the fight against terrorism and the prosecution of terrorists. I also extend my thanks to Ghana for conducting the work of the Security Council in the month of November. I congratulate the Republic of India on its assumption of the presidency of the Security Council for the month of December, and I wish you, Madam President, every success in that task. I would also like to thank Mr. Christian Ritscher and his team for his briefing to the Council on the ninth report (see S/2022/836) issued by the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD), which covers its activities in my country during the reporting period.

At the outset, I would like to recall resolution 2651 (2022), by which the Security Council approved the request of the Government of Iraq to extend the mandate of UNITAD and its Head for the period of one year,

as the mandate of the Investigative Team and its Head expires on 17 September 2023. During that period, we look forward to greater effort and attention to continue the work of prosecuting all those who have been involved in the terrorist organization Da'esh and who have helped, funded and provided it with logistics and cyber support, as well as prosecuting crimes committed by Da'esh related to smuggling oil and artefacts during the period when it was in control.

In the context of Mr. Ritscher's important briefing, we commend what was stated in his ninth report, which addressed several important points that highlighted the progress that had been made in the Team's work in Iraq by collaborating and cooperating with the Government of Iraq. We also commend the substantial progress made by opening new investigation tracks, as well as the fact that the Team continued to investigate previous issues, namely, the crimes committed by the terrorist organization against all the people of Iraq so as to achieve accountability in cooperation with the Iraqi national authorities. In that regard, we also commend the efforts of the Investigative Team and its Head to promote universal accountability for the crimes committed by the terrorist organization in Iraq.

After almost six years of the Team's work, my Government has made it clear on several occasions that the most important challenge for the Team in the upcoming period is to ensure that justice is done and proceed as soon as possible to submit all the evidence to the Iraqi Government, whether gathered by the Team or received from Iraq and developed using advanced technology, for use before national courts.

UNITAD's mandate, in accordance with resolution 2379 (2017) and its terms of reference, is to collect, preserve and store evidence pertaining to the crimes that the terrorist organization Da'esh committed in Iraq and to present that evidence to Iraq to enable it to conduct fair and just trials and achieve justice and ensure redress for the victims. UNITAD's mandate is not complete if it stops at collecting, preserving and storing evidence and investigating crimes without allowing the use of that evidence in national legal contexts.

With regard to the Team's previous reports, the eighth report in particular (see S/2022/434) mentioned that the Investigative Team had completed its investigations in four important cases, and today the ninth report (see S/2022/836) refers to the completion of investigations and the start of new ones into crimes

committed by Da'esh against the Iraqi people on Iraqi territory. In that regard, we would like to point out that the Investigative Team's sixth report (S/2021/419) clearly referred to the possibility of holding trials at the end of 2021 or the beginning of 2022. Iraq therefore considers that a commitment requiring cooperation in its implementation in accordance with the timeline set out in the report. We also stress the need to take rapid, effective and practical measures to present the evidence to the Iraqi Government and conduct national trials. That is very important to Iraq and the international community.

We welcome the contents of the ninth report regarding the exchange of evidence, in particular paragraph 4, which mentions that the Team is working on finding ways to further share information with the Iraqi Government in line with the Team's competencies. It cites the conclusion of a memorandum of understanding between the Iraqi Government and the Investigative Team that will enable UNITAD to present such evidence to the national authorities. It also notes that there is a pre-existing modality whereby information linked to Da'esh financing held by the Team has been shared with national investigative judges. Crimes of an economic nature are dealt with according to the Team's competencies and presented to the relevant national authorities. We hope that similar measures will be taken to gather evidence of criminal offences committed by Da'esh.

UNITAD has continued to work and cooperate with the Iraqi Government to ensure the success of its mandate. We are familiar with the Team's progress in collecting, preserving and storing evidence, which my Government appreciates considering the difficulties and challenges that the Team is dealing with. However, we are aware of the pressure of Iraqi public opinion, especially the families of victims, for achieving accountability and being informed of the nature of the evidence and the investigations that the Team has conducted on Iraqi territory for nearly six years. The reports of the Team, and the most recent report in particular, make it clear that certain Da'esh members who committed crimes have been identified. The evidence is there, and the perpetrators have been identified, and it is therefore time to bring the perpetrators of those crimes to justice.

The Government of Iraq will follow UNITAD's activities very closely, especially in the next few months, in order to assess the Team's work for this year. The extension of the Team's mandate and the appointment

of its Head under resolution 2651 (2022) were not easy for the Government of Iraq. We are sincerely committed to the work of the Team, as a priority for my country. We therefore reiterate the urgent need for developing a plan in cooperation with the Iraqi Government and its National Coordination Committee for achieving tangible results pursuant to the seventh preambular paragraph of resolution 2651 (2022), which stresses the importance of presenting the Team's evidence to the Iraqi authorities in a timely manner so that it can be used fairly and independently. The Government of Iraq once again reiterates its commitment to cooperating with the Investigative Team and providing it with assistance through the National Coordination Committee in order to support its work, in full respect for Iraq's sovereignty and jurisdiction over crimes committed on its territory and against its people.

Iraq values the determination of certain Member States to repatriate terrorist combatants and their

families, and would like to remind the Council that Iraq is one of the countries that has made significant efforts in that regard, repatriating nearly 6,000 individuals, including combatants and their families. Our rehabilitation and accountability efforts continue, and we hope that we will see greater efforts from other Member States in that regard.

In conclusion, Madam President, I would like to express our thanks and appreciation to you and to the friendly countries that have supported my country in the face of terrorism as we have worked together to bring perpetrators to justice in our national courts. I am also grateful to Mr Ritscher and his team for their efforts and progress in exchanging expertise with national authorities. They have highlighted the magnitude of Da'esh's violations against the Iraqi people, and we wish him and his Team every success in their work.

The meeting rose at 11.40 a.m.