



# Security Council

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## **Letter dated 11 May 2020 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 have the honour to transmit herewith, in accordance with paragraph 3 of Security Council resolution [2490 \(2019\)](#), the fourth report on the activities of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant.

I would be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

*(Signed)* Karim Asad Ahmad **Khan**  
Special Adviser and Head of the Investigative Team



## **Fourth 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**

### *Summary*

The fourth report on the activities of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant is submitted pursuant to Security Council resolution [2490 \(2019\)](#).

During the reporting period, the Investigative Team has continued to make progress with respect to its investigative priorities, with a number of lines of investigation now in the phases of evidentiary consolidation and legal analysis. In line with the strategic objective of the Team to ensure its ability to investigate crimes committed against all affected communities in Iraq, two additional field investigation units are now operational.

The coronavirus disease (COVID-19) pandemic and the complex political and security context in Iraq have created a challenging environment in which to carry out investigative activities. The Team has sought to be innovative in its response, ensuring continued progress in the collection and analysis of evidence by harnessing technological solutions and adapting field-based work so as to capitalize on key evidence-collection opportunities.

Priority has been given to the identification of new evidentiary sources capable of adding significant value to the ongoing investigations of the Team and of domestic authorities. Expanded cooperation with Iraqi counterparts has been central to those efforts, including in the form of collaboration with the Iraqi judiciary in obtaining mobile call data records from Iraqi telephone service providers relevant to the Team's investigative priorities. Cooperation with the Iraqi security services has allowed for the forensic extraction and analysis of data from cell phones, subscriber identity module (SIM) cards and mass storage devices previously used by Islamic State in Iraq and the Levant (ISIL, also known as Da'esh). Those developments have the potential to cause a paradigm shift in the prosecution of ISIL members.

The committee designated by the Government of Iraq to coordinate with the Team has remained a crucial partner and has worked closely with the Team in the initial implementation of a major project to digitize evidence launched in March. The onboarding of national criminal law experts marks a significant step in the efforts of the Team to ensure that its work can effectively support domestic accountability efforts. Initiatives aimed at sharing knowledge with and offering technical assistance to Iraqi authorities have also been expanded, including by providing training and equipment in digital forensics, and witness protection and support.

An enhanced evidence management system, developed by in-house information systems experts, has strengthened the ability of the Team to respond to opportunities for evidence collection. The use of advanced technology has also been expanded in forensic evidence collection at mass grave sites and other major crimes scenes.

Strengthening partnerships with communities, non-governmental organizations and religious leaders has remained central to the work of the Team. In March 2020, the Special Adviser, together with the Special Adviser to the Secretary-General on the Prevention of Genocide, Adama Dieng, supported the adoption of a landmark document entitled "Interfaith statement on the victims of Da'esh", in which leaders of all major faiths in Iraq underlined their collective commitment to supporting the Investigative Team in its pursuit of accountability for crimes committed by ISIL.

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## **I. Introduction**

1. The fourth report on the activities of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) is hereby submitted to the Security Council.

2. During the reporting period, the Investigative Team has continued its investigations pursuant to its mandate to support domestic efforts to hold Islamic State in Iraq and the Levant (ISIL, also known as Da'esh) accountable for acts that may amount to war crimes, crimes against humanity and genocide.

3. The work of the Team has been conducted in accordance with Security Council resolution [2379 \(2017\)](#) and the terms of reference for the activities of the Team in Iraq ([S/2018/118](#), annex), as approved by the Security Council on 13 February 2018. The Special Adviser and Head of the Investigative Team has also continued to engage closely with national authorities, religious leaders and actors, and non-governmental organizations in order to support survivors and ensure that their interests in achieving accountability for ISIL are fully recognized, in line with paragraph 3 of resolution [2379 \(2017\)](#).

4. The reporting period was marked by three significant contextual challenges: (a) the continued complex political environment in Iraq, particularly during November and December 2019; (b) the developments in the security situation that emerged in January 2020; and (c) the coronavirus disease (COVID-19) pandemic that began to affect operations in February. The Team has responded to these challenges through the adaptation of its investigative strategy and field-based work in order to capitalize on evidence-collection opportunities while ensuring the safety and security of all Team members. Amid this complex environment, Iraqi authorities have continued to provide valuable assistance to the Team in the conduct of its investigative activities.

5. The present report outlines both the significant progress made during the reporting period and the challenges that continue to be faced by the Team in the conduct of its work. The report comes at a pivotal moment, as the Team progresses from its initial investigative priorities to the stage of case-building and legal analysis and establishes additional field investigation units to ensure that it is able to address the crimes committed by ISIL against all communities in Iraq.

## **II. Strategic focus and structure of the Investigative Team**

### **A. Investigative strategy**

6. During the reporting period, the Investigative Team has continued to monitor and adapt its investigative strategy in order to strengthen its ability to provide tangible support to domestic proceedings relating to crimes committed by ISIL. The Team has retained the capacity to respond effectively to targeted requests for assistance relating to such proceedings while ensuring that it can effectively pursue its expanded range of medium-term investigations.

#### **Substantive investigative priorities**

7. The Investigative Team has continued to make progress with respect to its strategic investigative priorities, with a number of lines of investigation now in the phase of evidentiary consolidation and legal analysis.

8. The recent receipt of call data records from Iraqi telephone service providers relevant to the time periods and geographic locations connected to the Team's

investigation of the attacks committed by ISIL against the Yazidi community in the Sinjar district in August 2014 creates a significant opportunity to strengthen the cases against alleged perpetrators. The Team has also expanded its collection of testimonial evidence relevant to that investigation by drawing on its expertise in psychosocial assessment and support to ensure that the most vulnerable survivors and witnesses can come forward with their accounts.

9. The investigation into the mass killings of unarmed cadets and military personnel at Tikrit Air Academy in June 2014 has benefited from the continued cooperation with the national judicial commission established to investigate those crimes, which has made the forensic anthropological reports on the exhumations and subsequent autopsies of victims available to the Team. The Team has also obtained testimonial accounts given by survivors of those attacks.

10. With respect to its investigation of crimes committed by ISIL in Mosul between 2014 and 2016, the Team has benefited from successful cooperation with Iraqi domestic courts and engagement with non-governmental organizations allowing for further progress in documentary evidence collection. The recent commencement of work on mass grave sites in the Mosul area, although temporarily halted at present owing to the COVID-19 pandemic, will be the focus of significant upcoming investigative activity.

#### **Addressing crimes committed against all communities in Iraq: establishment of two additional field investigation units**

11. In earlier reports, the Special Adviser has emphasized the need to ensure that the investigative activities of the Team address crimes committed against all communities targeted by ISIL in Iraq.

12. In line with that strategic priority, the Investigative Team has established two additional dedicated field investigation units, based on extrabudgetary contributions provided by the United Kingdom of Great Britain and Northern Ireland and the United States of America. The units will take forward new lines of investigation into crimes committed against Christian, Kaka'i, Shabak, Sunni and Turkmen Shia communities in Iraq. Initial progress includes the completion of forensic survey work at mass grave sites and the successful engagement of local communities in investigations concerning the destruction of religious shrines and other sites of cultural heritage by ISIL.

13. A more detailed overview of progress made in the collection and analysis of evidentiary material by the Investigative Team is provided in section III.

#### **Specialized thematic support to operational activities**

14. In parallel with the expansion of the substantive scope of its investigative strategy, the Team has strengthened the provision of expert thematic support to investigators in cross-cutting areas relevant to its evidence-collection activities.

15. The Witness Protection and Support Unit has continued to provide expert guidance to all parts of the Team to ensure that the engagement of investigators with victims and witnesses is aligned with international standards. Particular emphasis has been placed on ensuring an effective approach with respect to psychosocial assessments and the provision of support to victims of trauma.

16. The Sexual and Gender-based Crimes and Crimes against Children Unit continues to play a central role in ensuring that the work of the Team with respect to the crimes within the Unit's remit is based on a coherent approach that is aligned with international best practice. In that respect, the standard operating procedures have been updated to ensure that a survivor-centred approach is taken to interviewing

victims and witnesses of sexual and gender-based violence, as well as child victims and witnesses. A financial contribution provided by the United Arab Emirates has supported the strengthening of the investigative and analytical activities of the Unit.

17. Thanks to extrabudgetary funds provided by Germany, the Team has also been able to establish specialized capacity to assist investigators in the analysis of the financial aspects of crimes committed by ISIL. In addition, a dedicated evidence digitization unit is in the process of being established, which is to take the lead in digitizing and archiving the Team's existing evidence held by domestic authorities.

## **B. Composition of the Investigative Team**

18. During the reporting period, the Investigative Team has made further progress in filling positions across its staffing structure, with a total of 129 staff members now serving with the Team. Efforts have continued to ensure a gender and geographical balance, with women currently accounting for 49 per cent of substantive and support staff. All regional groupings of the United Nations continue to be represented in the Team.

### **Harnessing national expertise**

19. In a significant step, following extensive consultations between the Investigative Team and the Government of Iraq, the Special Adviser has appointed a further eight Iraqi criminal law experts to the Team, in line with paragraph 16 of its terms of reference. In selecting candidates for these positions, attention was paid to ensuring that the Iraqi component of the Team reflected the diversity of communities throughout Iraq. Emphasis was also placed on ensuring both gender and linguistic inclusivity with a view to strengthening the ability of the Team to engage effectively with all survivors and witnesses.

20. In recognition of the crucial role played by national experts, the Team has ensured that Iraqi nationals account for at least one third of professional staff members within its staffing structure and continues to explore opportunities for the establishment of new national expert positions through extrabudgetary funding.

### **Provision of expert personnel by Member States**

21. The Investigative Team has again been encouraged by the support that Member States have shown by providing expert personnel in accordance with paragraph 14 of resolution [2379 \(2017\)](#). Experts provided by the national authorities of Australia, Finland, Germany, Jordan, Saudi Arabia and Sweden are already serving or are being onboarded, and a number of additional States have confirmed their intention to contribute personnel.

### **Premises and facilities of the Investigative Team**

22. During the reporting period, the Investigative Team established an office in Dahuk that now serves as the primary location for four field investigation units and for the Sexual and Gender-based Crimes and Crimes against Children Unit. This change has provided investigators with more direct access to sources of evidentiary material and fostered closer engagement with survivors, witnesses and affected communities.

23. The construction of a specialized forensics laboratory is anticipated to be completed shortly after the relaxation of travel restrictions in Baghdad related to COVID-19. Premises have been adapted to allow for the appropriate handling of detainees taking part in interviews at the premises of the Investigative Team.

### **III. Investigative activities: collection and storage of evidentiary material**

24. The range of documentary and digital evidence collected by the Investigative Team has grown significantly during the reporting period. Evidence collection continues to be led by the field investigation units, with a total of 156 days of field-based missions conducted in the preceding six months.

#### **A. Documentary and digital evidence collection**

25. In total, the evidentiary data lake of the Investigative Team stands at 23.9 TB of data, resulting from the expanded activities of field investigation units in Iraq and the strengthened operational cooperation between the Team and Iraqi national authorities. Cooperation with the Kurdistan Regional Government, affected communities and non-governmental organizations has also continued to be central to evidence-collection activities.

26. Through effective cooperation with the Iraqi judiciary, the Investigative Team has obtained over 2 million call data records from Iraqi telephone service providers for its investigation into crimes committed against the Yazidi community in Sinjar. In addition, the Team has received international mobile equipment identity (IMEI) and subscriber data of telephone numbers connected with persons of interest. The analysis of those data is anticipated to add significant value to existing and future lines of investigation, including through the identification and geolocation of suspects during time periods relevant to the commission of crimes. Additional call data records and IMEI data have also been sought in connection with the attacks carried out by ISIL against unarmed cadets and military personnel near Tikrit in June 2014.

27. The Investigative Team has also worked closely with the Directorate of Military Intelligence of the Ministry of Defence in the digitization and forensic examination of evidence relevant to crimes committed by ISIL. Through this cooperation, data from ISIL cellular phones and mass storage devices, including hard drives and USB flash drives, have been forensically extracted and processed, which provided access to a wide range of internal ISIL documents, mobile phone data, videos and images.

28. The Supreme Judicial Council and, more broadly, the Iraqi judiciary have remained key partners in the Team's collection of documentary evidence by making available a wide range of case-files and supporting materials relevant to investigative priorities. During the reporting period, the Investigative Team obtained, with the support of the relevant Iraqi judicial authority, over 200 autopsy reports produced by the Medico-Legal Directorate of the Ministry of Health of Iraq. The reports were relevant to the Team's ongoing investigation into crimes committed by ISIL members in Tikrit in June 2014. The Team also benefited from the continued robust cooperation of the Counter-Terrorism Court of Tallkayf, Mosul, which has continued to provide documentation and case files relevant to the investigative priorities of the Team in Sinjar and Mosul.

29. During the reporting period, the Team has also sought to strengthen its capacity to leverage open-source information as part of its investigative work. In the light of the extensive range of material published by ISIL and other entities of relevance to investigative priorities, the Team has harnessed technological solutions so as to reduce the time and resources needed to identify, analyse and catalogue relevant material. As an example of that approach, the Team has recently piloted an advanced video indexer in combination with the eGLYPH system of the Counter Extremism Project in order to track and automatically index faces of persons of interest in video

archives under review by the Team using automatic facial recognition. Through that work, an extensive library of faces and other physical identifiers has been collated.

30. The Investigative Team has also continued to collect a wide range of information based on its engagement with academic institutions, journalistic entities and non-governmental organizations. In that context, it has obtained a range of internal ISIL documents gathered by members of the Yazidi community following the liberation of their home areas.

## **B. Collection of forensic material and excavation of mass graves**

31. The Investigative Team has continued to prioritize the collection, analysis and preservation of material at mass graves and other major crime scenes. Those activities have been informed by close engagement with religious and tribal leaders, survivor groups and local authorities in order to ensure that the work is conducted in a manner sensitive to community concerns.

32. During the reporting period, the Team agreed on an additional set of sites for excavation with the Mass Graves Directorate of the Martyrs Foundation and the Medico-Legal Directorate of the Ministry of Health of Iraq, in cooperation with the Kurdistan Regional Government and the International Commission on Missing Persons. Exhumations at two sites close to Mosul commenced in March 2020, with work now temporarily suspended owing to COVID-19-related travel restrictions in place in Iraq. These exhumations will resume as soon as possible in close consultation with Iraqi authorities.

33. In recognition of the importance of promptly returning remains to the families, the Team has sought to support the Iraqi authorities in finalizing the identification of victims whose bodies were exhumed from mass grave sites at the village of Kojo in the Sinjar district. In February, the Government of Iraq announced that 62 victims had been formally identified. The Investigative Team continues to work with the Iraqi authorities to formally identify the remaining victims. A ceremony for the repatriation of remains organized by Iraqi authorities and Yazidi community leaders, in consultation with the Investigative Team and ICMP, was scheduled to take place in March 2020 but has been postponed owing to measures relating to COVID-19.

34. The Special Adviser has continued to underline that the identification of all victims must urgently be accelerated. In addition, he has emphasized the crucial importance of ensuring that family members of those identified are fully engaged in the return process, including through the provision of information prior to the release of the names of those identified. The Team will work closely with Iraqi authorities, survivors and Yazidi community leaders to ensure that this is done.

35. With a view to strengthening the capacity of Iraqi authorities in that area, the Team has supported the installation of an advanced disaster victim identification system at both the Medico-Legal Directorate and the Mass Graves Directorate. Through that system, Iraqi authorities will be able to apply state-of-the-art processing to large amounts of data on missing persons and victims from major crime scenes. The system has also been put in place at the premises of the Investigative Team in Baghdad, allowing for enhanced cooperation between the Team and Iraqi authorities in that field in a manner consistent with the terms of reference. In addition, the Team has provided advanced forensic equipment, hardware, software and consumables in support of collective efforts to increase the speed with which mass grave sites may be excavated and analysed in line with international standards. In that context, 360-degree virtual reality cameras and a portable three-dimensional (3D) laser scanner tailored for forensic anthropology and medical examination applications have been

provided. International forensic experts on the Team have provided training to counterparts from Iraqi national authorities in the deployment of those resources.

36. The Team has also significantly expanded the range of digital crime scene surveys conducted at key sites, including mass graves, related to the investigative priorities of the Team. That effort has involved the collection of crime scene survey data including 3D laser scanning, 3D modelling, 360-degree virtual reality recordings and so-called 4K aerial imagery at sites in Sinjar, Mosul and Tall Afar. Digital forensic analysts of the Investigative Team then convert those visual assets into comprehensive two-dimensional and three-dimensional diagrams, as well as virtual and augmented reality environments.

37. The application of those technologies has allowed for the collection of new forms of evidence for potential use in national proceedings. In addition, imagery and virtual reality assets are effective tools that assist investigators in obtaining information from witnesses in relation to specific crime scenes. The collection and preservation of digital imagery and physical evidence at key crime scenes has been rendered increasingly urgent in the light of the acceleration of reconstruction efforts in Iraq. The Team has also engaged with SITU Research, an interdisciplinary applied-research company, in connection with the development of an advanced digital platform for the electronic presentation and analysis of the various types of evidence collected by the Team.

38. As noted above, construction of the specialized forensic laboratory at the premises of the Team is anticipated to be completed shortly after the relaxation of travel restrictions in Baghdad related to COVID-19. The establishment of that facility will strengthen the capacity of the Team to conduct a wide range of forensic examinations, including forensic document examination, video and audio authentication and enhancement, forensic examination of digital evidence and exploitation of geographical information systems. The facility will also provide an environment in which specialized capacity-building training can be delivered to Iraqi authorities.

### **C. Collection of testimonial evidence and protection of witnesses**

39. The collection of accounts from survivors and witnesses of crimes committed by ISIL has remained a central priority of the Team. Conducting that work in line with its witness protection strategy, the Team has sought to ensure that those most vulnerable victims, in particular those that have not previously felt able to engage in accountability processes, are provided the support and protection needed to come forward with their accounts.

40. The Witness Protection and Support Unit has continued to assist the field investigation units through the conduct of pre-interview psychological screening of survivors and witnesses, prior to their provision of testimony to investigators. In support of that work, the Investigative Team has recruited three clinical psychologists, which was made possible by a financial contribution made by the Netherlands, to assist the Team in its engagement with vulnerable witnesses. The support has been particularly important with respect to the work of the Team with people in internal displacement camps in northern Iraq, ensuring that those providing their accounts are not exposed to further trauma.

41. Cooperation with Iraqi authorities, including with investigative judges, the Ministry of Justice and prison authorities, has been central to the commencement of interviews of ISIL detainees in Baghdad. Through the engagement with Iraqi counterparts, agreed security arrangements and standard operating procedures have been established, thus facilitating the conduct of interviews at the premises of the

Investigative Team. In accordance with international standards and the existing procedural framework of the Team, provision has been made for access to legal counsel.

42. The Team has also sought to work with national counterparts in Iraq to strengthen psychosocial support provided to vulnerable survivors and witnesses to crimes committed by ISIL. In April 2020, psychosocial experts at the Witness Protection and Support Unit, under the direction of the lead clinical psychologist of the Team, led a one-day virtual workshop with domestic mental health providers to build awareness of the need for self-care when working with survivors of severe traumatic events. At the request of the Government of Iraq, the Team is planning to host another workshop for psychosocial support providers on essential elements such as the conduct of specialist assessments and the management of critical components pertaining to memory, mental health and evidence. The workshop was originally scheduled to be held in April 2020, but will now be delivered shortly after the COVID-19-related travel restrictions are lifted.

43. Construction work at the premises of the Investigative Team in Baghdad on purpose-built facilities to accommodate the conduct of interviews in line with international standards has now been completed. The facilities enable the Team to conduct simultaneous interviews and include the infrastructure necessary for interviewing detainees. A similar purpose-built interview facility is also in place at the office of the Investigative Team in Dahuk.

44. In April 2020, the Team continued its partnership with the Human Rights in Trauma Mental Health Program at Stanford University with the delivery of a seven-module contextualized training course for national and international Team members on best practices in working with survivors of trauma. The course addressed the use of trauma-informed techniques in interviewing, ways to tailor approaches to child witnesses and victims of sexual and gender-based crime, and self-care measures to be taken by Team members so as to reduce the risk of secondary trauma.

#### **D. Analytical capacity and outputs**

45. The Analysis and Evidence Unit has now reached full incumbency, with additional capacity provided through the provision of national experts from Member States. Priority has been placed on ensuring that the analytical function of the Team is responsive to the investigative priorities of the field investigation units. In line with this integrated approach, analysts have provided direct support to interviews and field-based missions carried out by investigators.

46. The Team continues to update and enhance its detailed mapping of the most senior ISIL members responsible for leading ISIL governance and military activities in 2014, including those directly and indirectly implicated in crimes under investigation by the Team. Information received from the Iraqi judiciary and other authorities has been of significant value and has enabled the Team to further develop its analysis of the decision-making and hierarchical structures of ISIL in 2014.

47. Based on an analysis of the internal administrative documents of ISIL collected by the Team to date, the Analysis and Evidence Unit has also enhanced analytical products concerning lower-level ISIL governing structures relevant to the Team's investigations. Those resources include information on ISIL court systems and enforcement structures and makes it possible to map key administrators implicated in relevant crimes.

48. The Analysis and Evidence Unit has also continued to produce analyses and topic assessments in support of the work of field investigation units, addressing areas

including the destruction of cultural and religious heritage sites, money service businesses and ISIL human trafficking networks. With support from the Sexual and Gender-based Crimes and Crimes against Children Unit, an analysis of ISIL policies and practices underlying slavery and sexual slavery practices, and crimes committed against or affecting children has also been completed. The establishment of a financial analysis function within the Team is also being used to supplement support provided to field investigation units.

49. As part of the Team's ongoing work to collect information on domestic accountability efforts and with a view to identifying developments relevant to its investigative priorities, analysts and investigators of the Team have attended domestic proceedings in Iraq at both the governate and national levels.

## **E. Storage and management of evidence**

50. During the reporting period, the capacity of the Investigative Team to store and manage evidence in line with international standards has been significantly strengthened by the implementation of a comprehensive, tailored evidence life cycle management system, coded in-house by its information management systems experts. The system enables the Team to ensure that all evidence and associated metadata are collected efficiently in accordance with international standards and with a clear chain of custody maintained.

51. The development of a custom-built evidence-management solution has also enabled the Team to address the specific needs relating to its field-based work, providing a flexible system that enables investigators and analysts to electronically manage their workflow, track sources and record all related activities and communications. The use of in-house expertise has also significantly reduced the anticipated time required to procure and deploy the full evidence life-cycle management system, while providing substantial financial savings through the use of a secure and cost-effective low-code application development platform.

52. The system can be used at the premises of the Investigative Team or through a mobile application, which has also been developed by the Team's Information Systems Management Unit. With the mobile application, investigators and analysts who obtain evidence during field missions in Mosul, Tikrit or other locations, can capture and log images, geolocation data and digital signatures using their cell phones or other mobile devices. The application also records any change in the status of a given piece of evidence and informs investigators or analysts, in real time, when an action is taken in relation to that material.

53. The development and implementation of the evidence life-cycle management system has been concluded in parallel with the installation of the final elements of e-discovery applications and hardware necessary to comprehensively and securely manage evidence collected by the Team. A fully updated set of standard operating procedures with respect to the collection, storage and analysis of evidence, combined with training sessions for all investigators and analysts, has been put in place to ensure coherent and effective use of the e-discovery suite.

54. At present, the Investigative Team is also finalizing the development of a secure and structured mobile reporting application which will allow members of affected communities and other persons to submit information of relevance to the Team using mobile devices or personal computers. Initially developed as part of the Team's response to travel limitations arising from the COVID-19 pandemic, the application contains a series of survey questions and fields, enabling individuals to provide leads and information to the Team, including photographs, document scans and other materials. It is hoped that the application will serve as an effective pre-screening tool,

reducing the need for in-person meetings with survivors and witnesses. Currently in the testing phase, the application is anticipated to be deployed in June 2020.

#### **IV. Delivering accountability in collaboration with national actors**

55. The effective delivery of the mandate of the Investigative Team continues to be founded on the basis of a partnership with national actors across Iraq. During the reporting period, the Team has further strengthened its relationship with domestic authorities, religious leaders, non-governmental organizations and other entities.

##### **A. Engagement and cooperation with the Government of Iraq**

56. During the reporting period, the Special Adviser has continued his engagement with senior members of the Government of Iraq in order to strengthen cooperation in furtherance of the Investigative Team's strategic objectives.

57. Those consultations have included high-level meetings with the President, the Minister of Foreign Affairs, the Chief Justice and Head of the Supreme Judicial Council, the Director-General of the Non-Governmental Organizations Department, the Director of Military Intelligence and the Director of the Intelligence and Counter-Terrorism Service of the Ministry of the Interior. During the reporting period, the Special Adviser also had productive meetings with the President and the Prime Minister of the Kurdistan Region on the progress made by the Team to date and the strengthening of the essential collaboration with local authorities.

58. Cooperation with the committee designated by the Government of Iraq to coordinate with the Team was strengthened significantly during the reporting period, resulting in a joint framework for action on key projects. In that context, there has been ongoing cooperation with respect to the implementation of a major digitization project supported through a financial contribution by the European Union. The national coordinating committee identified focal points at relevant ministries and other authorities and convened a series of working-level meetings with the Team to ensure that the needs and priorities of all relevant national entities were reflected in the assistance to be provided under the project. The committee has also played a central role in identifying other areas in which the assistance of the Team could be used in strengthening national capacity, including the protection and provision of support to victims and witnesses.

59. The Investigative Team has also welcomed the cooperation of the committee with respect to the appointment of national criminal experts to the Team in accordance with paragraph 16 of the terms of reference, which marked a significant step in finalizing the staffing structure of the Team.

60. The Office of the Prime Minister has also continued to provide essential operational assistance to the Team through the National Operations Centre by supporting 156 days of field missions during the reporting period through the coordination of relevant security assets, including the deployment of armed escorts as necessary. As noted elsewhere in the present report, the Team has benefited from the strong cooperation and support of the Directorate of Military Intelligence.

61. The cooperation of the Iraqi judiciary has been central to some of the most significant progress made by the Team with respect to its investigative work. In particular, the Iraqi judiciary has secured the cooperation of Iraqi telephone service providers in maintaining call data records relevant to crimes committed by ISIL during 2014 that are under investigation by the Team, thus securing a potentially

significant source of evidence. The Special Adviser is grateful for the advice and support received from the Chief Justice and Head of the Supreme Judicial Council during the reporting period.

62. The Investigative Team has also continued to welcome the support and cooperation of relevant authorities of the Kurdistan Regional Government. Positive engagement has continued with the intergovernmental task force established to facilitate cooperation between the Kurdistan Regional Government and the Team.

63. A strategy document aimed at strengthening the common basis for action with respect to the implementation of the mandate of the Team has recently been transmitted to the Government of Iraq. In the document, the progress made in evidence collection and capacity-building activities to date are assessed and the key steps are identified that were still required to facilitate the prosecution of ISIL members for war crimes, crimes against humanity and genocide in Iraq in a manner consistent with the terms of reference. The Team has held positive discussions with the Supreme Judicial Council and the Government of Iraq regarding the mechanism by which Iraqi investigative judges can be supported in taking forward such cases, which includes an upcoming capacity-building programme (see paras. 65–69 below).

64. In that regard, the Team has also continued its engagement with the Government of Iraq with respect to the potential adoption of legislation allowing for the prosecution in Iraq of acts committed by ISIL as war crimes, crimes against humanity and genocide. That legislation is still before the Council of Representatives. During the reporting period, the Special Adviser was encouraged by his high-level consultations with the Government, in which there was consistent recognition as to the importance of ensuring the adoption and implementation of the legislation at the earliest opportunity.

## **B. Strengthening the capacity of Iraqi authorities**

65. The Investigative Team has continued to make every effort to share knowledge with Iraqi authorities and let it technical assistance in accordance with paragraph 39 of the terms of reference. Strengthened communication between the Investigative Team and the national coordinating committee has allowed for the identification of priority areas for assistance and the collective development of targeted interventions.

66. As noted above, in April 2020, the Team commenced a major technical assistance project with respect to the digitization of evidence held by Iraqi national authorities and those of the Kurdistan Regional Government. That project, which is supported by a generous financial contribution from the European Union, is due to be completed in October 2021. The Team will work with participating entities to comprehensively map and digitize documentary, digital and other material relating to crimes committed by ISIL in Iraq, and will incorporate that information into its evidence base.

67. A capacity-building programme has been developed as a reflection of the growing collaboration of the Team with the Iraqi judiciary. Under that programme, training is to be provided to Iraqi investigative judges and other national actors on the conduct of investigations into war crimes, crimes against humanity and genocide in line with international standards. The assistance is to be delivered in anticipation of national legislation that provides for the prosecution of ISIL members for such crimes and will include certified training in international criminal law and international humanitarian law by leading international experts.

68. As noted in paragraph 35 above, the Team has also continued its provision of capacity-building and technical equipment to the Medico-Legal Directorate and the Mass Graves Directorate in support of their efforts with respect to the excavation of

mass grave sites, the forensic analysis of physical evidence and the identification and return of the remains of victims. Capacity-building support and training has also been provided to members of the Directorate of Military Intelligence with respect to the application of advanced digital extraction and archiving tools, allowing for the forensic examination of digital evidence in line with international standards. The training has assisted the Directorate in taking forward an archiving project with respect to crimes committed by ISIL.

69. Iraqi authorities have also requested assistance from the Team with respect to the potential establishment of a specialized witness protection section, as provided for in domestic witness protection legislation. Initial advice has been provided by witness protection experts of the Investigative Team, including through an assessment of potential facilities. A two-day workshop with Iraqi counterparts had been planned for March 2020 but will now be held shortly after the relaxation of travel restrictions connected with COVID-19. The national coordinating committee has played an important facilitative role with respect to the provision of such assistance by the Team.

### **C. Working in partnership with all elements of Iraqi society**

70. To ensure that its investigative work is informed by the knowledge and experience of all affected communities in Iraq, the Investigative Team has continued to prioritize its engagement with religious actors, survivor groups, non-governmental organizations and community leaders.

71. Since it started its work, the Team has recognized the importance of engaging with religious communities as partners in its activities. Doing so is particularly important in the light of the historical and cultural stigma attached to some of the crimes being investigated by the Team. Through effective communication and outreach, the Team has sought to harness the role that religious leaders and actors can play in helping survivors of crimes committed by ISIL to come forward with their accounts and reducing the risk of their being stigmatized because of the crimes they have suffered.

72. In line with that approach, the Special Adviser, building on his outreach to religious communities outlined in previous reports, met with a wide range of religious leaders during the reporting period, including the Head of the Chaldean Catholic Church, the Representative of the Shia religious authority in Karbala, the Chairman of the Sunni Iraqi Jurisprudence Council, the Yazidi Supreme Spiritual Leader and the Syriac Orthodox Archbishop of Mosul.

73. Following that extensive engagement, and following the consultations held with religious communities during the visit to Iraq of the Under-Secretary-General and Special Adviser to the Secretary-General on the Prevention of Genocide, Adama Dieng, the Special Adviser and Head of the Investigative Team was delighted to support the adoption on 6 March 2020 by the religious leadership of the Christian, Kaka'i, Shia, Sunni and Yazidi communities of a document entitled "Interfaith statement on the victims of Da'esh". It is a strong collective repudiation by all faith communities of ISIL ideology, a document in which they emphasize the need to take concerted action to hold members of ISIL responsible for their crimes in accordance with the rule of law, building on the work of the Investigative Team. They also place emphasis on giving effective support to survivors of crimes committed by ISIL in Iraq.

74. In follow-up to the statement, the Investigative Team and the Office on Genocide Prevention and the Responsibility to Protect are jointly organizing an interfaith event, to be held in Baghdad, to bring together Iraqi religious communities

to discuss what collective action to take to implement the core principles of the statement.

75. The Team has continued its efforts to extend its outreach to community leaders, survivor groups and non-governmental organizations. In addition to extensive bilateral cooperation with such entities, attempts have been made to set up collective forums in which they can share their thoughts with the Team on challenges currently faced by affected communities.

76. On 3 March 2020, during his visit to Iraq, the Under-Secretary-General held a round-table discussion with representatives of non-governmental organizations from the Shabak, Turkmen, Kaka'i, Christian, Sabeen and Yazidi communities. During the meeting, the Team's recent establishment of two dedicated field investigative units for crimes committed against these communities was noted. The event was an opportunity for the Team to gain further understanding of the ongoing impact that crimes committed by ISIL are having on these communities, as well as of the continued challenges faced by survivors and victims' families. The Investigative Team is grateful for the assistance given by the Shlomo Organization for Documentation in connection with the event's organization and with the visit of the Special Adviser and the Under-Secretary-General to Hamdaniya (also known as Baghdeda). During that visit, the two officials met with the Archbishop of Baghdeda and survivors from the Christian community.

77. As noted below, building on these productive recent engagements, the Special Adviser has convened a broader meeting of non-governmental organizations in Iraq, to be held on 1 June 2020.

78. During the reporting period, academic institutions in Iraq have served as important partners to the Team by providing contextual information relevant to investigative priorities and by serving as a bridge between the Team and local communities. On 4 March, the Special Adviser participated in an event hosted at the University of Mosul to strengthen understanding of the mandate and the activities of the Team among local communities and explore the ongoing impact of crimes committed by ISIL in Mosul. The event was attended by over 200 participants and was an effective opportunity for the Team to establish contacts with potential witnesses.

## **V. Providing support to ongoing domestic proceedings**

79. During the reporting period, the Investigative Team has continued to ensure that its work contributes to ongoing accountability processes in Iraq and in third States in line with the terms of reference. As noted throughout the present report, the evidence collection and management strategy continues to be focused on the Team's ability to address the structural gaps in national investigations and prosecutions.

80. Five States have formally approached the Team about potential support for their ongoing domestic proceedings concerning crimes committed by ISIL, while a number of other States have indicated their intention to request assistance in the near future. The requests have primarily related to crimes falling within the initial investigative priorities of the Team and related to areas including the analysis of call data records and the identification and interviewing of witnesses. Recent requests have focused on the potential facilitation of testimony directly into ongoing domestic proceedings before national courts.

81. The Team is at varying stages of cooperation with Iraqi authorities and anticipates that, in the upcoming reporting period, it will be able, in partnership with the authorities, to provide tangible support in additional ongoing domestic proceedings.

82. Progress in the establishment of the evidence life-cycle management system of the Team, combined with an enhanced ability to process and search for evidence with its e-discovery suite, has further strengthened the ability of the Team to assist with requests for information from domestic authorities. Those increased capacities have recently resulted in the provisional identification of information relevant to ongoing investigations by national authorities in one Member State.

83. As noted in the previous report (S/2019/878), the Investigative Team was approached by Finnish prosecutors following an appeal against the acquittal of defendants at first instance. Through effective cooperation with the Government of Iraq, the Investigative Team facilitated the provision of testimony by eight Iraqi witnesses that was fed directly into the Finnish appeal proceedings, also providing call data relevant to the proceedings. During the reporting period, the Finnish authorities confirmed that the original decision of the first instance court had been upheld on appeal. The Team was encouraged by the positive comments received from both the Finnish prosecutors and the presiding judge in the case regarding the value of the assistance provided.

## **VI. Cooperation in support of the activities of the Investigative Team**

### **A. Engaging Member States**

84. Building on the investigative work conducted by the Team in Iraq, a range of targeted requests for information have been transmitted to Member States in line with the investigative priorities of the Team. The Special Adviser has also continued efforts to build further awareness and support for the mandate and activities of the Team at high-level meetings in Baghdad and in New York.

85. In February, the Special Adviser had the pleasure to address a wide range of Member States at a ministerial side event hosted by the Alliance for Multilateralism on the margins of the high-level segment of the forty-third session of the Human Rights Council, discussing the issue of promoting international humanitarian law and fighting impunity.

### **B. Ensuring coherence with United Nations system entities**

86. The Investigative Team has continued to strengthen its cooperation with United Nations system entities to support the operational work of the Team and ensure that activities prioritize coherence of approach in areas addressing the mandates of other entities.

87. From 1 to 6 March 2020, the Investigative Team facilitated a visit by the Under-Secretary-General. During the visit, the Under-Secretary-General held high-level meetings with the Government of Iraq and the Kurdistan Regional Government. He also met with survivor groups, non-governmental organizations and affected communities. Emphasis was placed on how the work of the Investigative Team, and the Office on Genocide Prevention and the Responsibility to Protect, could be leveraged in an effective and unified manner so as to further support communities in addressing the needs of survivors.

88. The Investigative Team has also continued its close collaboration with the United Nations Assistance Mission for Iraq (UNAMI), in particular the ongoing embedding of Mission support positions in the UNAMI staffing structure. That cooperation is now underpinned by a comprehensive service-level agreement concluded during the reporting period. The Team wishes to extend its thanks to

Special Representative of the Secretary-General for Iraq, Jeanine Hennis-Plasschaert, for her continued support.

89. The Team has also continued its engagement with the Office of Counter-Terrorism and the Counter-Terrorism Committee Executive Directorate in policy areas of relevance to its mandate. The Team has been grateful, in particular, for the support and cooperation of the United Nations Counter-Terrorism Centre and the Victims of Terrorism Support Programme with respect to measures that may be taken to support survivors and families affected by crimes committed by ISIL. The Team also expresses appreciation for the support of the United Nations Institute for Training and Research, in particular the Institute's Operational Satellite Applications Programme, which has been of significant assistance with respect to the identification of satellite images of relevance to the investigative work of the Team.

### **C. Cooperating with other entities**

90. During the reporting period, the Investigative Team has sought to further strengthen the engagement of non-governmental organizations, private sector entities and academic institutions in its work.

91. As noted above, the Team has continued to engage extensively with non-governmental organizations in support of its investigative activities and to ensure that affected communities are supported in contributing to accountability efforts. In line with that priority, the Special Adviser has convened two round-table discussions with non-governmental organizations for June 2020. The events will be used to launch a wider and ongoing dialogue with non-governmental organizations and survivor groups and ensure that the Investigative Team incorporates their expertise and insights into its work.

92. Through its cooperation with the Human Rights in Trauma Mental Health Program at Stanford University, the Team has been able to align its engagement with survivors of trauma with the highest possible standards. During the reporting period, the Team has also positively engaged with Physicians for Human Rights with a view to ensuring that all investigators in the Team, both national and international, can draw on best practices in the forensic documentation and assessment of physical evidence of crimes committed by ISIL, with a focus on crimes of sexual and gender-based violence committed against women, adolescents and children.

93. The Team has also continued its productive engagement with the Counter Extremism Project, in particular by harnessing the eGLYPH research platform developed by that organization. That cooperation has facilitated the identification of a significant range of video assets relevant to the investigative priorities of the Team.

94. Extensive consultations have been held with leading technology companies about the potential use of further artificial intelligence software to assist investigators and analysts in processing large data sets. It is anticipated that, leveraging such partnerships and building on plans currently being developed by in-house technical experts, the Team will be able to incorporate more such elements into its analytical work during the upcoming reporting period, in particular language recognition and machine translation, optical character recognition and technology-assisted searches across large volumes of heterogeneous loose files.

95. During the reporting period, the Team has also continued its efforts to obtain information and evidence of crimes committed by ISIL that have been collected previously by other entities. That practice continues to be prioritized to ensure that previous efforts are not needlessly duplicated and witnesses and survivors are not retraumatized. The Team continues to encourage relevant entities to share their

information expeditiously so that it can be integrated effectively into the investigations of the Team. Cooperation of that kind should ensure a survivor-centred approach based on the informed consent of witnesses.

96. In April, the Investigative Team was honoured to invite Benjamin B. Ferencz, former prosecutor at the Nuremberg Tribunal to address the Team in a videoconference to inaugurate a lecture series for its national and international staff members on issues of international criminal justice.

## VII. Promoting accountability globally

97. During the reporting period, the Special Adviser continued his efforts pursuant to paragraph 3 of resolution [2379 \(2017\)](#) to promote global accountability for acts that may amount to war crimes, crimes against humanity or genocide committed by ISIL and to ensure that the interests of survivors are fully recognized.

98. In that regard, emphasis has been placed on ensuring that the experience and best practices developed by the Investigative Team through its field-based investigative work in Iraq informs the actions taken by national authorities globally to investigate and prosecute crimes committed by ISIL. To that end, the Investigative Team is developing a number of knowledge products for use by domestic authorities.

99. Through its cooperation with the Human Rights in Trauma Mental Health Program at Stanford University, the Investigative Team is developing a best practice field manual aimed at providing practical, actionable guidance to investigators engaging with vulnerable victims with a view to ensuring a trauma-informed approach to criminal investigations. In addition, the Investigative Team is in the early stages of developing a handbook providing guidance to domestic authorities on the prosecution of sexual and gender-based crimes and crimes against children under the rubric of international criminal law. In developing the handbook, the Team will draw on its experience with such cases, as well as on broader international precedent.

100. In December 2019, the Special Adviser participated in a panel at the Doha Forum entitled “Advancing the repatriation of foreign terrorist fighters”. The Special Adviser spoke of the support that the Investigative Team might be able to provide, through its collaboration with Iraqi authorities, to domestic authorities seeking to expand the evidentiary base on which former ISIL members can be prosecuted.

101. During the reporting period, the Investigative Team also launched its website ([www.unitad.un.org](http://www.unitad.un.org)). The site contains an overview of the activities undertaken to date and key documents and resources connected with the Team’s mandate. Looking forward, the Team will seek to harness the website as a platform through which survivors, members of affected communities and other individuals may contact the Team and provide information relevant to its work.

## VIII. Funding and resources

102. While core staffing and infrastructure needs have been addressed through its regular budget as approved by the General Assembly, the Investigative Team will continue to rely on individual financial contributions to the trust fund established to support key specialized activities in fulfilment of its mandate. Extrabudgetary contributions are likely to take on even more importance in the light of COVID-19.

103. The Team is grateful to the many States that have provided extrabudgetary support to its work during the reporting period. In that regard, the Team wishes to express its sincere appreciation for the significant contribution made by the European Union in support of a major evidence digitization project launched in March 2020, as noted above.

104. The United Kingdom of Great Britain and Northern Ireland continues to be a key source of support for the Team, with financial contributions ensuring that the Team is able to address crimes committed by ISIL across all regions of Iraq. The United States of America has provided significant financial support to the work of the Team with respect to the excavation of mass grave sites. As noted above, a financial contribution from Germany has enabled the Team to enhance its investigations into the financial aspects of crimes committed by ISIL.

105. A contribution made by the Netherlands has allowed for the recruitment of three clinical psychologists to the Team, which has ensured the continued provision of psychosocial support to survivors and witnesses. A contribution from Denmark has supported the launch of a capacity-building project aimed at supporting Iraqi investigative judges in conducting investigations in line with international standards. Support provided by the United Arab Emirates continues to strengthen the capacity of the Sexual and Gender-based Crimes and Crimes against Children Unit. The Team is also grateful to the Governments of Cyprus, the Philippines, Qatar and Slovakia for their contributions to the trust fund.

106. The Investigative Team continues to encourage further contributions of funds, equipment and services from States and from regional and intergovernmental organizations in support of the implementation of its mandate, in accordance with paragraph 14 of resolution [2379 \(2017\)](#).

## **IX. Looking forward: priorities and challenges of the Investigative Team**

107. As noted above, the implications of COVID-19, as well as the broader complexities of the political and security environment in Iraq, presented a series of challenges for the Team as it sought to deliver against the strategic priorities outlined in section IX of its previous report ([S/2019/878](#)).

108. The Team has sought to be innovative in its response, ensuring that progress in the collection and analysis of evidence and the development of case files continues. Significant successes include the expansion of evidentiary sources secured by the Team and the integration of technological solutions meeting international standards into all aspects of evidence collection and management. Developments such as enhanced access to call data records, IMEI data and ISIL records extracted from digital devices have the potential to shift the paradigm for prosecutions of ISIL members in Iraq and globally, if exploited effectively.

109. Advances have also been made with respect to technical assistance and support to Iraqi authorities. The incorporation of national criminal experts into the Team will also have a significant impact on the Team's ability to engage effectively with all communities in Iraq and ensure investigations complement existing domestic accountability efforts.

110. Some of the strategic priorities identified in the previous report ([S/2019/878](#)) have been delayed owing to the impact of COVID-19, in particular the completion of a new set of excavations at mass grave sites near Mosul, which were postponed just after work had begun in March 2020, and the return of the remains of victims identified from mass graves in the village of Kojo. The Team will work to ensure that those activities are completed as soon as the situation allows, in consultation with national authorities. Further mass grave excavations are being planned for later in 2020, based on extrabudgetary contributions secured by the Team.

111. Based on the progress made and challenges identified during the reporting period, the key strategic priorities of the Investigative Team in the coming six months will include:

- Digitization and archiving in line with international standards of evidence relevant to crimes committed by ISIL held by key Iraqi authorities;
- Exploitation of new evidentiary assets, including the forensic digital extraction of mass storage devices, and collection and analysis of call data records and IMEI data connected with investigative priorities and persons of interest;
- Strengthening of case files relating to persons of interest with a view to increasing the direct support provided by the Team to domestic criminal proceedings;
- Expansion of capacity-building support to Iraqi authorities in areas including digital forensics, witness protection and support, and the investigation of crimes committed by ISIL as war crimes, crimes against humanity and genocide;
- Roll-out of the mobile reporting application discussed in section III above, providing a new platform through which survivors, affected community members and other individuals can provide information to the Team;
- Strengthening of the ability of the Team to engage with children affected by the crimes committed by ISIL, through the development of enhanced policies and procedures in line with children's status as a separate category of victim.

112. The Team will continue to implement these priorities in close cooperation with the Government of Iraq, drawing on the updated strategy paper recently transmitted by the Investigative Team as a framework for common action.

## **X. Conclusion**

113. During the reporting period, the work of the Investigative Team has been marked by significant progress in the identification and collection of new sources of evidence. These will serve to address some of the fundamental challenges faced by domestic authorities in prosecuting ISIL members. Thanks to the collection and exploitation of call data and related records, the forensic digital extraction of evidence from devices formerly used by ISIL and the digitization of documentary records held by Iraqi authorities, the Team can significantly broaden the basis on which accountability processes can be built.

114. The Team therefore stands at a pivotal moment in its work. Modalities of evidence collection have been established, technical and financial resources are in place and a partnership of trust and support has been built with Iraqi authorities, local communities and religious leaders. Drawing on the enhanced e-discovery and evidence management systems now in place, available evidence is already being identified that can fill gaps in ongoing proceedings. In the coming six months, the Team will continue its work with the Government of Iraq to capitalize on this opportunity, with a view to securing the commencement of domestic proceedings based on evidence collected by the Team, in line with the terms of reference.

115. The Investigative Team is ever-mindful of the reason the Council acceded to the request of the Government of Iraq to establish an independent, international investigative team to ensure accountability for the crimes committed by ISIL: to vindicate the right of survivors to justice, create an incontrovertible record of crimes committed and thereby expose the falsity of the narratives used to justify the acts of ISIL. In the coming months, the Team will remain committed to that common objective, counting on the continued support of the international community to ensure that the legitimate expectations of victims and survivors are met.