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Letter dated 13 November 2019 from the Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant addressed to the President of the Security Council

I have the honour to transmit herewith, in accordance with paragraph 3 of Security Council resolution [2490 \(2019\)](#), the third 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



Third 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 third 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 \(2019\)](#).

One year following its arrival in Iraq, the Investigative Team is now fully operational, with over 100 staff members supporting its work, including investigators, legal officers, forensic specialists and witness protection officers. In parallel, key operating procedures, technological equipment and evidence management facilities have been established to facilitate the collection, storage and analysis of evidentiary material in line with international standards.

Harnessing the increased substantive capacity and drawing on extrabudgetary contributions provided by Member States, the Team has expanded its strategy to include a number of additional priorities, ensuring that its focus and key objectives reflect the breadth of communities across Iraq that are affected by the crimes committed by Islamic State in Iraq and the Levant (ISIL).

During the reporting period, the Team prioritized targeted field-based activities in Sinjar, Mosul, Tikrit and other locations across Iraq, collecting key documentary, forensic and testimonial material capable of filling evidentiary gaps in support of domestic proceedings. Engagement with survivors and affected communities has remained central to these efforts, with the Team implementing advanced witness protection and support measures to ensure that even the most vulnerable members of Iraqi society are able to come forward with their accounts.

The provision of support by the Team to the Government of Iraq in pursuit of accountability has remained at the core of its work. Capacity-building and technical support has been provided in such fields as the excavation of mass graves, DNA analysis and evidence digitization. Cooperation with the Government of Iraq has also been central to the effective conduct of investigative activities, as the Team has been able to draw on a wide range of existing documentary and digital material held by Iraqi national authorities in pursuit of its investigative priorities.

On the basis of extensive cooperation between the Investigative Team and the Iraqi judiciary, direct support was provided to ongoing criminal proceedings in a third State concerning ISIL crimes committed in Iraq, including the provision of witness testimony directly from the premises of the Team. This significant step in the implementation of Security Council resolution [2379 \(2017\)](#) represents a joint success of the Government of Iraq and the Investigative Team, drawing on the common will to deliver accountability in line with the mandate provided by the Council.

Following the recent unanimous renewal of its mandate by the Security Council, the Investigative Team will prioritize the further strengthening of the partnership between the Team, the Government of Iraq and the international community in pursuit of accountability.

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I. Introduction

1. The third 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 worked with continued focus to deliver tangible results pursuant to its mandate to support domestic efforts to hold Islamic State in Iraq and the Levant (ISIL) accountable by collecting, preserving and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide. This work 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 engaged closely with affected communities, national Governments and international partners 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 \(2017\)](#).

3. On 20 September 2019, by its resolution [2490 \(2019\)](#), the Security Council, at the request of the Government of Iraq, decided unanimously to extend the mandate of the Investigative Team. The extension represents a renewed commitment to survivors and affected communities that meaningful support will be provided to national authorities seeking to ensure that those responsible for crimes committed by ISIL are held accountable in accordance with the rule of law. Over the past six months, the Team has sought to deliver on that promise by conducting field-based investigative activities that meet international standards, by engaging those affected by crimes committed by ISIL as partners in its work and by providing support and assistance to Iraqi authorities and those of third States.

4. The present report, prepared one year after the arrival of the Investigative Team in Iraq, sets out the achievements of the Team during the reporting period, with an emphasis on progress made in the collection, preservation and storage of evidentiary material in Iraq and the strengthening of cooperative modalities with key national counterparts and international partners. It also outlines key priorities and challenges to be addressed by the Team in collaboration with the Government of Iraq.

II. Strategic focus and structure of the Investigative Team

A. Investigative strategy

5. Since the previous report, the Investigative Team has adapted and expanded its investigative strategy so as to enhance its ability to deliver effectively on its mandate. Adjustments have been made to investigative priorities and the criteria for allocating operational resources and investigative focus, based on extensive engagement with victims, affected communities and national authorities.

6. In introducing these changes in the strategic approach, the Team has sought to ensure that it is able to support its medium-term structural investigations while also retaining the operational capacity to respond rapidly to opportunities to support ongoing domestic proceedings through targeted shorter-term investigative and analytical work. The investigative outputs and achievements of the Team during the reporting period reflect the impact of the adapted approach.

Substantive investigative priorities

7. The Investigative Team has made significant progress in the conduct of its evidence collection activities with respect to the three initial investigative priorities detailed in the second report on the activities of the Team (S/2019/407), which are focused on crimes in Sinjar, Mosul and Tikrit. A dedicated field investigation unit has been designated to conduct investigative work in relation to each of the priority areas, and the action plans and investigative focus of each unit have been adapted to the specific nature and evidence collection opportunities of the relevant investigative priority. In all investigative work streams, priority continues to be placed on ensuring that field-based activities are targeted to fill identified gaps and to build an evidence base capable of supporting prosecutions for war crimes, crimes against humanity and genocide.

8. With respect to the investigation of crimes committed against Yazidi communities in the Sinjar district, the Team has moved with urgency to secure forensic and physical evidence through the excavation of mass graves and the collection of key pieces of testimonial evidence through interviews with victims and members of affected communities. Emphasis in the investigation of crimes committed in Mosul has been placed on the collection of existing evidentiary material held by the Iraqi judiciary and other national and local authorities, including the digital scanning of case files held at the Counter-Terrorism Court of Tallkayf, Mosul. With respect to the investigation of the mass killings of unarmed air force cadets in Tikrit in June 2014, extensive cooperation with the judicial commission to investigate the Speicher crimes has been central to initial progress. A more detailed overview of progress made in the collection and analysis of evidentiary material by the Investigative Team is provided in section III.

Expansion of investigative priorities

9. Additional extrabudgetary contributions by Member States have enabled the Investigative Team to expand the scope of its investigative priorities, allowing it to address the needs of the diverse communities represented in Iraq, all of which have been affected by the crimes of ISIL.

10. Specifically, in addition to the three above-mentioned initial priorities, the Investigative Team is presently establishing additional dedicated investigative capacity in order to address crimes committed by ISIL against Christian, Kaka'i, Shabak, Sunni and Turkmen communities.

Specialized thematic support to operational activities

11. The strategy also continues to incorporate the provision of expert thematic support from dedicated units within the Team so as to facilitate and strengthen operational activities. In line with the focus of the Investigative Team on supporting accountability for the widespread sexual and gender-based violence perpetrated by ISIL, the dedicated Sexual and Gender-based Violence Unit has continued to provide support with respect to the engagement of the Team with victims of such crimes, including through involvement in field investigation activities, and in the development of structural investigations of crimes within its area of expertise. The Victim and Witness Protection Unit has ensured that the standard operating procedures and practices of the Team with respect to victims and witnesses are aligned with international standards.

12. The Office of National Engagement and Support also continues to provide strategic advice to the senior leadership of the Investigative Team with respect to its cooperation with national and local actors. In addition, the Team is presently taking

steps to enhance its investigative capacity through the establishment of a specialized function addressing the financing of the crimes committed by ISIL that are relevant to the mandate of the Team.

Legal basis and framework

13. In the implementation of its investigative strategy, the work of the Team continues to be guided by its core mandate, as outlined in resolution 2379 (2017), the terms of reference and the guiding principles of the Team set out in its first report to the Security Council (S/2018/1031). In cooperation with relevant Iraqi authorities and in accordance with paragraph 6 of resolution 2379 (2017), the Team has ensured that it operates as an impartial, independent and credible entity.

14. In addition, and in accordance with resolution 2379 (2017) and the terms of reference, the Investigative Team has carried out its work in a manner consistent with United Nations policies and best practices and relevant international law, including international human rights law, rules and standards. In line with its mandate, the Investigative Team has also continued to ensure that its activities are conducted with full respect for the sovereignty of Iraq and its jurisdiction over crimes committed in its territory.

B. Composition of the Investigative Team

15. During the reporting period, the Investigative Team has continued to prioritize the prompt recruitment of staff and has been encouraged by the high standard of applications received for positions advertised. Combined with a concerted effort by the Team to fill all staffing positions by the end of December 2019, this has led to a rapid increase in the incumbency rate.

16. By 13 November 2019, the Investigative Team had recruited a total of 105 staff members, and an additional 16 selected candidates were being onboarded. In building its staff, the Team continued to ensure gender and geographical balance, with women currently accounting for 53 per cent of substantive and support staff, and more than half of all senior management positions held by women. All regional groups of the United Nations continue to be represented in the Team.

Harnessing national expertise

17. The successful integration of Iraqi national professional personnel into the Investigative Team on an equal footing with international staff members, in line with paragraph 14 of the terms of reference, remains essential in ensuring that the Team is able to effectively complement the investigative activities of Iraqi national authorities and collect, gather and analyse evidence capable of supporting domestic proceedings. Reflecting that imperative, the Team has ensured that Iraqi nationals continue to account for at least one third of professional staff members within its staffing structure.

18. Following the appointment in May 2019 of the Chief of National Engagement and Support, the most senior national position within the Team, efforts have been made to move forward promptly with the recruitment of other national experts to relevant positions in the Team. In order to ensure the broadest range of potential candidates, thereby allowing the Team to draw on expertise and knowledge from communities throughout Iraq, the positions were widely publicized in national and local media. The Team also conducted direct outreach to all relevant national authorities in order to facilitate the submission of applications of well-qualified candidates.

19. The recruitment process for all national expert positions has now been completed and, in accordance with paragraph 16 of the terms of reference, the Team has recently met with the Government of Iraq to conduct consultations with a view to finalizing selections for these positions as soon as possible. Reflecting the importance of the national component of its substantive staff, the Team has secured extrabudgetary funding to support the establishment of five additional national expert positions in the near future.

Provision of expert personnel by Member States

20. The Investigative Team has continued its efforts to draw on expertise from across the international community through its engagement with Member States with respect to the provision of expert personnel to the Team, in accordance with paragraph 14 of resolution 2379 (2017). In that regard, the Team is grateful for the positive response from Member States during the reporting period, with the Governments of Australia, Finland and France having committed to provide the Team with such experts, including members of national police forces and prosecution authorities. Experts from Germany and Sweden have already been onboarded in recent weeks and are now serving with the Team in Baghdad.

Premises and facilities of the Investigative Team

21. In response to the rapid increase in staffing levels of the Investigative Team, enhancements to its premises are being made so as to ensure sufficient space for all substantive, security and mission support staff. Specialized video communications technology has been installed, enabling witnesses to testify via video link in support of domestic proceedings, with facilities also put in place for the secure screening of detained witnesses. Progress has also been made in establishing the Team's dedicated storage and analysis facilities for forensic and physical evidence.

22. In order to increase efficiencies and maximize the ability of investigators to engage with witnesses during field missions, a witness interview facility has been established by the Team in northern Iraq. In consultation with Iraqi authorities and United Nations system partners, the establishment of additional facilities in other parts of Iraq is being considered so as to further enhance the ability of the Team to conduct investigations, access evidentiary material and foster closer engagement with witnesses and affected communities.

III. Investigative activities: collection and storage of evidentiary material

A. Documentary and digital evidence collection

23. Reflecting the full operationalization of its investigative functions, the range of documentary and digital evidence collected by the Investigative Team has expanded significantly during the reporting period.

24. In total, the evidentiary data lake of the Team currently stands at over 14.5 TB of data, resulting from the significantly expanded evidence collection capacity of its field investigation units and strengthened cooperative modalities with key entities, including Iraqi national authorities, the Kurdistan Regional Government, affected communities, non-governmental organizations and United Nations system entities.

25. Throughout the reporting period, the Investigative Team has sought to leverage its unique ability to engage and receive evidence from all such entities. This expanded data lake has, in turn, been used to reinforce the field-based investigative activities of

the Team in Sinjar, Mosul and Salah al-Din. The availability of pictures and videos, in particular of suspects, which were obtained by the Team through a range of sources outlined further in the report, have been of significant importance for investigators developing cases in which victims seldom knew the names of the perpetrators.

26. The positive approach adopted by Iraqi national authorities with respect to cooperation with the Investigative Team has been a crucial element in the development of an in-depth documentary evidence base in line with core investigative priorities. The cooperation of the Supreme Judicial Council, and in particular the personal engagement of the Chief Justice, has been integral to the successful delivery of this operational work.

27. In the context of its investigation of the mass killings of unarmed Iraqi air force cadets from Tikrit Air Academy in June 2014, the Investigative Team has been provided with access to a wide range of relevant material held by the judicial commission to investigate the Speicher crimes. Such access has enabled the Team to draw on key elements of existing evidence, including analytical products, witness statements, autopsy reports, judicial decisions and other underlying material. The Team wishes to express its sincere thanks to the judicial commission and its President for their excellent cooperation.

28. With respect to its investigative work regarding crimes committed by ISIL in Mosul between 2014 and 2016, the Investigative Team has been granted access by the lead investigative judge to relevant files presently held at the Counter-Terrorism Court of Tallkayf, Mosul. The Team is presently working with relevant national officials at the Tallkayf Court in order to scan and digitize all judicial case files relevant to its ongoing investigative activities. In an initial pilot project completed in October 2019, the Team was able to digitize 3,800 pages of case files pertaining to 37 cases of direct relevance to its structural investigation. There remains a significant volume of case files to be digitized by the Team in the coming months through a dedicated evidence digitization unit. Through this process, the Investigative Team seeks to assist national counterparts in more effectively drawing upon information held in national archives, while also securing a crucial evidentiary source in the ongoing investigative activities of the Team.

29. Beyond its cooperation with Iraqi authorities in the collection of documentary and digital material, the Investigative Team has sought to draw on the evidentiary bases of third States, international organizations, academic institutions, journalistic entities and non-governmental organizations. This effort has allowed access to a wide range of evidentiary material, including significant amounts of battlefield evidence originally obtained by such entities following the retreat of ISIL from Mosul and other areas in northern Iraq. The Investigative Team has also recently been granted immediate remote access to the evidence management system of the Commission for International Justice and Accountability, following the conclusion of a memorandum of understanding. Continued collaboration with entities representing victim communities, including Yazda and the Free Yezidi Foundation, has also led to the provision of evidentiary material to the Team, such as witness statements obtained from survivors.

30. The Team has sought to develop creative partnerships with entities that take an innovative approach to the sourcing of relevant evidentiary material. In this respect, cooperation has been undertaken with an organization on a series of social media crowdsourcing campaigns to collect information relating to suspected ISIL members, leading to the receipt of thousands of responses from members of the public. Work is continuing with regard to identifying the most relevant sources received, many of which represent viable investigative leads.

31. In parallel with the expansion of its evidence collection activities, the Investigative Team has sought to finalize the establishment of all core operating procedures and technological infrastructure so as to ensure the storage and processing of evidentiary material in line with international standards. The central evidence management operating system to be used for the storage and analysis of evidentiary material collected by the Team has now been installed. Evidentiary material collected in the early stages of work is presently being transitioned from interim data management systems, with the full operationalization of the permanent operating system and software platforms anticipated to be completed in December 2019. With respect to the receipt of new evidentiary material, logging of received data sets has kept pace with data collection, and an initial backlog established during the start-up phase of the mission has now been resolved.

B. Collection of forensic material and excavation of mass graves

32. The identification of victims and the collection of forensic and physical evidence from mass graves and other crime scenes in Iraq has remained a central focus of the Investigative Team. This work has ensured that evidence from sites that may be crucial to future prosecutions in relation to war crimes, crimes against humanity and genocide has been preserved, while also responding to a clearly expressed need of survivors and affected communities.

33. With respect to the collection of forensic evidentiary material from mass grave sites, the Investigative Team has continued to guide and support investigative work led by 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. Excavations of 17 mass graves in and around the village of Kojo in Sinjar district, north-western Iraq, have now been completed, with the Investigative Team ensuring that the work was conducted in line with international standards. Detailed digital photography of all relevant crime scenes collected through these activities has been integrated into the evidentiary base of the Team.

34. With a view to supporting the return of remains to the families of victims, the Investigative Team has also continued to work with the Medico-Legal Directorate to identify support that may be provided by the Team to strengthen existing autopsy processes. These processes are now reaching a conclusion, and it is anticipated that the Team will be in a position to work with Iraqi counterparts in the near future in order to facilitate the repatriation and burial of mortal remains of identified victims exhumed from the mass graves in Kojo village.

35. Advance preparations are presently being made for the commencement of excavations at a further site in the Mosul area, with preliminary work anticipated to commence in December 2019. In consultation with Iraqi authorities, a series of additional priority sites have been identified in line with the investigative strategy of the Team, and an initial assessment of these locations has recently been completed.

36. During the reporting period, the Investigative Team complemented the collection of evidentiary material from mass grave sites with the collection of other forms of forensic and digital evidence from related crime scenes. In Kojo village, the Team completed comprehensive three-dimensional (3D) laser scanning of key crime scenes, allowing for the creation of 3D model reconstructions for future integration into a virtual reality platform that will serve both as an investigative tool and as an aid to the presentation of evidence in national courts. The Investigative Team has also drawn on its cooperation with United Nations system partners in order to obtain

high-quality satellite imagery of key crime scenes in Sinjar, Kojo, Mosul, and Tikrit for dates relevant to its investigations.

37. The support provided by the Investigative Team to ensure that collection and storage of evidentiary material from mass grave sites is in line with international standards has also extended to the retrieval of biometric data and DNA profiling of bone and tooth samples of bodies excavated from such sites. The Team has secured the support of a specialist rapid DNA analysis company, on a voluntary contribution basis, for the establishment of a rapid DNA profiling capacity to be used in the work of the Investigative Team in cooperation with Iraqi authorities. In October 2019, the first phase of this programme was completed, with proficiency tests successfully completed on 43 biological samples and theoretical training provided to members of the Investigative Team and experts of the Medico-Legal Directorate. The second phase, involving both additional DNA profiling and the provision of in-depth practical training, will commence in November 2019.

38. The Investigative Team has also strengthened its stand-alone capacity in the field of forensic evidence collection and analysis through the acquisition of additional equipment that meets international standards, including voice identification software, and image and video authentication software. These enhancements to its technical infrastructure will enable the Team to carry out a range of advanced forensic examination techniques, including forensic audio enhancement, forensic digital extraction and analysis, exploitation of geographic information systems and ballistics examinations. In parallel, the Investigative Team has also sought to strengthen its staffing capacity in this area, with extrabudgetary resources provided by Member States allowing the Team to supplement core staffing with expert consultants in the fields of digital forensics and anthropology.

39. Building on its significantly expanded evidentiary base, the Team has also established an agreement with a leading producer of interactive digital platforms for the electronic presentation of evidence. This cooperation will allow the Team to collate and organize evidentiary material relevant to specific crime scenes in a manner that underlines connections between individual evidentiary items and allows for the effective presentation of such material in future domestic proceedings.

C. Collection of testimonial evidence and protection of witnesses

40. As the Investigative Team has moved into the fully operational stage of its work, it has continued to expand its engagement with witnesses, survivors and affected communities in locations across Iraq in order to collect their testimony in support of key investigative priorities.

41. This engagement has been conducted in a manner aligned with the Team's investigative strategy and witness protection strategy. Under this strategic framework, the guiding operational focus of the Team is to ensure a victim-centred approach by limiting the potential exposure of witnesses to identified threats and ensuring that interviews are conducted according to a systematic and deliberate planning process.

42. This principles-based framework has been enhanced through the development of standard operating procedures that address key areas, including the provision of psychosocial support to witnesses and survivors, confidential handling of witnesses and engagement with witnesses in high-risk security areas. Through the collective efforts of the Victim and Witness Protection Unit and the Sexual and Gender-based Violence Unit, specific standard operating procedures and best practices have been developed with respect to the engagement of the Team with victims of sexual and gender-based violence.

43. As reflected above, the Investigative Team has now established premises in northern Iraq in which it is able to conduct interviews with witnesses. The introduction of this facility, located close to a number of internal displacement camps and other population centres containing a large number of potential witnesses, has significantly enhanced the ability of the Team to collect testimonial evidence in line with core investigative priorities. The establishment of local premises in which witnesses can provide testimony in a secure and emotionally safe environment has allowed the Investigative Team to ensure continuity of relationship with key local actors and communities. Work is currently being undertaken to allow witness testimony to be transmitted directly from these premises via videoconference facilities.

44. In parallel with the enhancement of the operational capacity of the Team in this area, positions with the Victim and Witness Protection Unit are now close to full incumbency. Through extrabudgetary funds, the Team has also been able to recruit two clinical psychologists to assist the Team in its engagement with vulnerable witnesses, with these specialized staff members having already provided significant operational support to field-based missions in Sinjar.

45. Drawing on the increased operational and staffing capacity of the Team in this area, a significant step was taken by the Team and the Government of Iraq during the reporting period by facilitating witness testimony directly into ongoing appeals proceedings in Finland. Through effective cooperation between Iraqi investigative judges, UNITAD staff members and Finnish prosecutors, significant additional testimonial evidence was made available to the national court. The Team is grateful for the strong logistical and technical support provided by Iraqi national authorities during the reporting period with respect to witness engagement and protection. Further detail on the modalities and outcomes of this cooperation are provided in section V, while section VI expands on work presently being undertaken by the Team with a view to further strengthening the capacity of Iraqi national authorities in this area.

D. Analytical capacity and outputs

46. Using the expanded evidentiary database developed during the reporting period, the Investigative Team has been able to significantly increase the breadth and complexity of its analytical work, which has focused on ensuring the production of analyses that are capable of strengthening domestic proceedings led by national authorities, while also internally informing the refinement of the ongoing investigative activities of the Team.

47. Reflecting the terms of resolution [2379 \(2017\)](#), and pursuant to its investigative objective of identifying those members of ISIL who bear the greatest responsibility for its crimes, the Investigative Team has continued to develop detailed mapping of the most senior Da'esh members who were involved with the governance or military activities of the group in 2014 and who are directly and indirectly responsible for the crimes perpetrated.

48. Using link analysis, the Analysis and Evidence Unit has connected 74 individuals to the senior leadership network of that time, 17 of whom are currently in Iraqi custody. Many other members have been killed, and a number remain unaccounted for. Due to the current emphasis of the Team on securing Iraqi source material, the number of members in this network, and those identified as being in Iraqi custody, is increasing. In its operational activities, the Team continues to target additional information on these members, further building the evidentiary basis with respect to crimes in which they may be implicated. The recent death of Abu Bakr

al-Baghdadi, former leader of ISIL, has led to a rapid short-term reassessment of current ISIL organizational structures.

49. The Analysis and Evidence Unit also continues to produce regular topic assessments for use by the field investigation units and other parts of the Team in order to guide and refine operational activities. As reflected in section V, the work of the Unit with respect to digital forensic analysis has also been important in supporting the provision of direct support to domestic proceedings in third States in cooperation with Iraqi authorities.

50. With respect to the work of the Investigative Team on the ISIL slave trade, including sexual slavery, the Sexual and Gender-based Violence Unit has established evidence presentation charts with respect to incidents, witnesses and alleged perpetrators of such crimes in Mosul during the period when the territory was controlled by ISIL, further guiding ongoing investigative work.

IV. Delivering accountability in collaboration with national actors

51. The support and cooperation of all actors in Iraq remains fundamental to the ability of the Investigative Team to deliver on its mandate. Accordingly, continued efforts have been made to communicate and engage with national authorities, affected communities, religious bodies and other relevant entities so as to further secure them as partners in the work of the Team.

A. Engagement and cooperation with the Government of Iraq

52. Through regular engagement with senior members of the Government of Iraq, the Special Adviser has sought to ensure continued understanding and support with respect to the scope and progress of the work of the Team, providing an opportunity to consult on significant developments in its activities, as appropriate. This engagement has included high-level meetings with the Prime Minister, the Chief Justice and Head of the Supreme Judicial Council, the Minister of the Interior, the Minister of Justice, the Head of the National Intelligence Service, the Director of Military Intelligence, the Minister for Migration and Displacement and the Director of the National Operations Centre. These consultations have included consideration of ways in which the Investigative Team can provide support to ongoing proceedings in Iraq concerning crimes committed by ISIL in accordance with the terms of reference.

53. As reflected in section III, significant progress has been made during the reporting period with respect to cooperation with relevant national authorities, in accordance with the terms of reference. This cooperation has included the enhancement of mechanisms for coordination of action, transmission of a wide range of relevant evidentiary material and case files to the Team, and the provision of extensive support by relevant authorities with respect to its field-based activities.

54. The Investigative Team is grateful for the continued efforts of the Government of Iraq to strengthen modalities for cooperation, including through measures aimed at enhancing its ability to engage effectively with the committee designated by the Government of Iraq to coordinate with the Team. Following recent consultations, the composition of the committee has been refined to include all key national counterparts, including senior representatives of the Office of the Prime Minister as the central coordinating entity, the Ministry of Foreign Affairs, the National Operations Centre, the National Security Advisory and the Ministry of Justice, as well

as a representative of the Kurdistan Regional Government. On 4 November 2019, the Special Adviser met with the committee in order to identify and discuss key cooperative priorities and underline the commitment of the Team to work closely with the committee in the implementation of its mandate, in line with the terms of reference. These recent developments are welcomed by the Team and serve to further strengthen the basis upon which investigative focus and effort can be aligned between the Team and national authorities moving forward.

55. The support and cooperation of the Supreme Judicial Council, led by the Chief Justice, has been particularly crucial during the reporting period. Through broad engagement with the investigative judges in Iraq who are responsible for the investigation of the crimes that are aligned with the strategic priorities of the Team, effective communication and cooperative modalities have been established and access has been provided to a wide range of evidentiary material. Cooperation with the judicial commission to investigate the Camp Speicher massacre has been of central importance.

56. The Team is also grateful for the cooperation and assistance received from the Counter-Terrorism Court of Tallkayf, Mosul, stemming from an initial meeting held between the Special Adviser and the court judge in Mosul, during which the judge provided an overview of the investigation and analysis procedures employed by the Iraqi investigative judges in building case files on ISIL suspects. Crucial support also continues to be provided by the Office of the Prime Minister. The National Operations Centre, in particular, has been an invaluable partner in supporting the field-based activities of the Team, including through the provision of armed escorts in support of over 180 days of field missions in the past six months alone. The Team is also grateful for the continued support and cooperation of the secretariat of the Council of Ministers.

57. In a significant development, the Government of Iraq has also taken steps towards the introduction of legislation allowing for the prosecution of acts committed by ISIL as war crimes, crimes against humanity and genocide. The Investigative Team welcomes the efforts of the Government of Iraq in this regard and stands ready, in line with its mandate pursuant to paragraph 41 of the terms of reference, to engage with national authorities in partnership with other United Nations bodies in order to advance these efforts with a view to establishing a strong domestic legal basis for the prosecution of crimes committed by ISIL in line with international standards. The Team recognizes, in particular, the inclusion of relevant provisions in current draft legislation addressing the potential use of evidence collected by the Team in such proceedings.

58. The Special Adviser has also engaged on a regular basis with senior members of the Kurdistan Regional Government, including through meetings held with the Kurdistan Region President, Prime Minister, Deputy Prime Minister, Minister of Interior, Minister of Martyrs and Anfal Affairs and Director of the Counter-Terrorism Group, as well as the former President of the Kurdistan Region. In these consultations, the Special Adviser has recognized and welcomed the strong commitment of the Kurdistan Regional Government to engage in constructive dialogue and cooperation with a view to supporting implementation of the mandate of the Investigative Team.

59. On an operational level, the Investigative Team has been grateful for the excellent cooperation of relevant authorities of the Kurdistan Regional Government. This support has been of particular importance with respect to the investigative activities of the Team concerning crimes committed against the Yazidi community in August 2014. Following consultations with the Kurdistan Region President and Prime Minister, an intergovernmental task force comprised of all relevant Regional Government entities was established to facilitate cooperation with the Investigative

Team, including through the transmission of evidentiary material from Regional Government authorities and the provision of access to relevant detainees for the purpose of conducting interviews. An initial meeting between the task force and the Investigative Team was held in October 2019 and has already led to the provision of enhanced support to the Team by Kurdistan Regional Government authorities.

B. Strengthening the capacity of Iraqi authorities

60. As part of its engagement with Iraqi national authorities in the implementation of its mandate, and in line with paragraph 39 of the terms of reference, the Investigative Team has sought to make every effort to share knowledge and technical assistance with them with a view to supporting their efforts to investigate crimes committed by ISIL in line with international standards. In doing so, the Team is seeking to reinforce its operational cooperation with the Government of Iraq and strengthen the ability of national authorities to build cases against ISIL members based on a broad range of evidentiary material.

61. A programme of support and technical assistance is presently being developed with the Mass Graves Directorate and the Medico-Legal Directorate, in accordance with which the Investigative Team will provide equipment, consumables and training to enhance the forensic analysis capacity of these authorities with respect to crime scene investigations, exhumations and the identification of victims. The assistance will include the installation of disaster victim identification technology that meets international standards, which will allow authorities to process large amounts of ante-mortem and post-mortem data on missing persons recovered from mass crime scenes in Iraq. Based on its forensic evidence collection and analysis work to date, the Team is also developing a series of best practices manuals to guide the work of Iraqi authorities in this field.

62. The Team has also engaged with Iraqi national authorities in the development of an evidence digitization programme, through which the Team will deploy mobile teams of archivists and information management specialists to assist key entities in the physical archiving and digitization of evidence. Through this work, the Team will significantly enhance the ability of national authorities to draw on existing evidentiary bases and will thereby strengthen their capacity to conduct prosecutions in line with international standards, while also enhancing their ability to engage with the Investigative Team in the implementation of its mandate.

63. The Team is engaging in dialogue with a number of relevant Iraqi authorities with a view to further strengthening their capacity to provide comprehensive protection and support to witnesses, thereby also enhancing modalities of cooperation with the Team in this area. Specific elements to be addressed include the implementation of existing domestic legislation with respect to witness protection, the development of a national witness protection structure, including a witness protection focal point network, and the establishment of a 24/7 witness hotline and response mechanism.

C. Working in partnership with all elements of Iraqi society

64. The Team has redoubled its efforts to engage with all communities in Iraq affected by the crimes of ISIL, with a view to ensuring that the activities of the Team fully reflect their experiences and needs. During the reporting period, field visits led by the Special Adviser to key sites in Iraq, including Erbil, Tall Afar, Mosul, Ninawa Plains, Anbar Province, Diyala Province and Salah al-Din Province, have laid the

foundations for crucial cooperation with local authorities and the collection of information from affected communities.

65. In a visit to Diyala Province, the Special Adviser met with the Deputy Governor and other senior officials to discuss how the Team can contribute to efforts to deliver accountability with respect to crimes committed in the region. He also met with tribal sheiks in the village of Tawakul. This represented the first time that an investigative team had been able to engage with the Tawakul communities in order to hear their accounts. The Team is grateful to the Iraqi security authorities for their extensive support in facilitating the visit.

66. Through these on-site visits, the Team has also sought to strengthen its partnership with religious communities across Iraq. In June 2019, the Special Adviser and members of the Team met with the Mayor of Ba‘shiqah, in the presence of representatives from the Christian, Shabak, Shia, Sunni and Yazidi communities, as well as members of the local Government Council, in order to hear their experiences of living under ISIL. In a visit to Saint Shamouni Church and the culture centre in Bartella, the Special Adviser met with local families privately, heard their accounts and saw first-hand the destruction wrought by ISIL on both the church and private residences in the community.

67. As part of the work of the Team in engaging local and tribal leaders in the delivery of its mandate, the Special Adviser met with the council of tribal leaders of Anbar in June. Over 300 tribal leaders representing more than 29 regional tribes attended the meeting, which was presided over by the Head of the council, Sheikh Rafi Al Fahdawi. In Dulu‘iyah District, Salah al-Din Province, the Special Adviser met with several leaders from the Sunni al-Jabouri Tribe, hosted by Sheikh Thaker al-Jabouri, during which the Special Adviser recognized the fallen victims and those that had stood against Da‘esh. The Special Adviser also had the opportunity to meet with the Deputy Governor of Salah al-Din, the President of the Salah al-Din Court of Investigation, and Members of the Salah al-Din Provincial Council to discuss ways in which the Investigative Team can cooperate with local authorities in the implementation of its mandate.

68. During his visit to Mosul in June, the Special Adviser also participated in a round table during which the Team heard from community members, including Turkmen Shia, about their experiences of crimes committed by ISIL. These meetings and missions constituted part of the essential outreach conducted by the Team in order to hear the views and concerns of survivors and establish a strong basis for the investigation of crimes committed against their communities.

V. Providing support to ongoing domestic proceedings

69. Together with the Government of Iraq, the Investigative Team has sought to identify ways in which the unique legal and operational platform established through Security Council resolution [2379 \(2017\)](#) can be harnessed in support of ongoing accountability processes with respect to crimes committed by ISIL both in Iraq and in third States. During the reporting period, and in a significant step in the implementation of the mandate of the Team, this cooperation was used as the basis to provide support to ongoing national proceedings before a Finnish appeals court relating to two Iraqi nationals facing charges of aggravated war crimes in connection with mass killings perpetrated by ISIL in and around Tikrit in June 2014.

70. In preparing for this case in appeal, the Finnish prosecutor contacted the Investigative Team and requested assistance with respect to the provision of witness testimony, and the identification of information and evidentiary material relevant to

the case. Following consultations with the Chief Justice and Head of the Supreme Judicial Council of Iraq, the Investigative Team worked in close partnership with the judicial commission to investigate the Speicher crimes in order to facilitate the provision of the assistance requested.

71. As a result of this cooperation, the testimony of eight witnesses was provided directly into the Finnish court proceedings via video link from the premises of the Investigative Team. The judicial investigation commission was instrumental in this regard, ensuring that relevant witnesses were contacted and made available to testify as scheduled by the court. In a significant step, the Government of Iraq also facilitated the transfer of an ISIL detainee to UNITAD premises to provide testimony. The Team put in place specialized security and logistical processes to ensure that the transfer and participation of the detainee were carried out in line with international standards. The Investigative Team further provided guidance to the court to ensure that procedural protections under Finnish criminal procedural law were applied in a manner that ensured that appropriate protections continued to be provided to witnesses. All witnesses also benefited from court familiarization in line with established standard operating procedures.

72. With the further support and assistance of the commission, the Team also obtained judicially issued warrants leading to the collection of call data information from telephone service providers in Iraq that was relevant to the proceedings, which it in turn provided to the Finnish prosecutor, in line with the provisions of Security Council resolution [2379 \(2017\)](#) and the terms of reference.

73. Through this cooperation, Iraqi authorities and the Investigative Team have demonstrated their collective ability to provide support at the highest standards to criminal proceedings in third States against persons suspected of committing crimes in Iraq. Looking forward, the Team intends to build on this concrete success to expand its collaboration and cooperation with Iraqi authorities, so as to extend its support to ongoing domestic proceedings both in Iraq and globally in line with international standards.

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

A. Engaging Member States

74. With respect to the legal framework for the receipt of evidentiary material from relevant national authorities, arrangements have now been put in place with a number of States, including those in which there are presently ongoing proceedings in relation to crimes committed by ISIL, to facilitate both the transmission of evidentiary material to the Investigative Team and the potential provision of support by the Team to such proceedings.

75. In addition to the case outlined in section V, the Investigative Team has been formally approached by an additional three States regarding the potential provision of support to ongoing domestic proceedings concerning crimes committed by ISIL. The Team has also been contacted by a number of additional States that have indicated that the assistance of the Team may be of value in supporting domestic prosecutions. Cooperation with relevant authorities is at varying stages, with the Investigative Team anticipating that it will be able to provide support, in partnership with relevant Iraqi national authorities, in relation to at least one further instance of domestic proceedings in the coming months. As reflected in its updated investigative strategy, the Team has sought to ensure that it has allocated sufficient operational capacity to be able to respond rapidly when such opportunities arise.

76. A potential hurdle identified with respect to such cooperation is the need in some States for an explicit legislative basis to be established prior to engagement with the Investigative Team. In two cases, cooperation between the Team and a relevant national authority is on hold, pending the introduction of such legislation. The Team stands ready to support Member States in developing legislative solutions to further facilitate its cooperation with relevant national authorities.

B. Ensuring coherence with United Nations system entities

77. The Investigative Team has also continued to strengthen its relationships with United Nations system entities so as to facilitate the transmission of relevant information to the Team and ensure a unified and coherent approach to mandate delivery.

78. Central to this work has been the ongoing close collaboration with the United Nations Assistance Mission for Iraq (UNAMI), which has continued to include the harnessing of existing staffing and operational structures, in particular with respect to mission support. UNAMI has also remained an important source of advice and guidance regarding the logistical and security challenges posed by field-based investigative activities in Iraq. The Investigative Team wishes to reiterate its thanks to UNAMI and the Special Representative of the Secretary-General for Iraq, Jeanine Hennis-Plasschaert, for the invaluable assistance and support they continue to provide to the Team.

79. Pursuant to paragraph 12 of Security Council resolution [2379 \(2017\)](#), formal arrangements have been put in place with a number of United Nations entities to facilitate the provision of reports, analytical products and supporting materials to the Investigative Team in support of its work. In line with previously agreed modalities for cooperation and as part of its recent work in assessing the structural and organizational adaptations of ISIL, the Investigative Team has engaged further with the Security Council 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, and with the Analytical Support and Sanctions Monitoring Team, in developing a number of case-specific requests for information. The United Nations Department of Safety and Security in Iraq has also provided important support with respect to this element of the Team's work.

C. Cooperating with other entities

80. Work has also continued with respect to the engagement of international organizations, non-governmental bodies, private sector entities and academic institutions in support of the work of the Investigative Team.

81. The European Union has remained an essential partner, with the recent participation of the Team in the 27th meeting of the European network for investigation and prosecution of genocide, crimes against humanity and war crimes providing an important platform in which the Team was able to underline the potential utility of its investigative work to national authorities, in cooperation with the Government of Iraq. The Investigative Team has also continued to work with the International Commission on Missing Persons with respect to its mass grave excavation activities, in accordance with the cooperation agreement established earlier this year.

82. Through the conclusion of agreements with a number of non-governmental entities and victims groups, the Investigative Team has enhanced the range of channels through which it is able to obtain information and evidence relevant to its investigative work. Such modalities for cooperation have been put in place with, inter alia, the Eyzidi Organization for Documentation, the Commission for International Justice and Accountability, the Human Rights and Gender Justice Clinic of the City University of New York School of Law, the Shlomo Organization for Documentation, and the Yazidi Victims Demographic Documentation Project. In November 2019, as part of its efforts to further engage non-governmental organizations as partners in its work, the Investigative Team participated in the Global Initiative for Justice, Truth and Reconciliation Advisory Board meeting on the utilization of civil society documentation for criminal accountability.

83. The Victim and Witness Protection Unit of the Investigative Team is working with the Human Rights in Trauma Mental Health Program at Stanford University to develop standard operating procedures and practices for engagement with vulnerable witnesses. An initial joint assessment was undertaken in Baghdad, following which members of the Victim and Witness Protection Unit have been working with Stanford University counterparts to develop a normative and training framework that meets international standards. A further joint mission to northern Iraq is planned for December 2019. George Washington University also served as a valuable partner in the work of the Team during the reporting period

84. As part of its cooperation with the Counter Extremism Project, the Investigative Team has also begun using the eGLYPH research platform developed by the organization, which allows for the identification of unique digital characteristics of media to facilitate the filtering of specific content, such as pictures or videos relevant to the investigative activities of the Team.

85. As reflected in section III, the Investigative Team has also continued to harness cooperative modalities with private sector entities. During the reporting period, the Investigative Team obtained, on a gratis basis, two rapid DNA analysis machines, as well as associated training on site in Iraq, from an industry-leading DNA company. A common project has been implemented through which training and support in the use of the equipment is provided to staff of both the Investigative Team and relevant Iraqi authorities.

VII. Promoting accountability globally

86. During the reporting period, the Special Adviser continued his efforts in the implementation of his mandate 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.

87. Emphasis was placed on harnessing the collective voices of survivors to combat the global narrative of ISIL and thereby undermine the legitimacy of the ideology underpinning its criminal activities. In that regard, the Special Adviser, as reflected in section IV, met with communities across Iraq in order to underline the common bond between all victims of ISIL and emphasize the power survivors can demonstrate in coming forward with their accounts. In August 2019, the Special Adviser was also honoured to be able to take this message of unity and solidarity to the event organized by Yazda and Norwegian People's Aid in Baghdad to commemorate the attacks committed by ISIL against the Yazidi community in August 2014.

88. Efforts to enhance the global projection of the voices of ISIL survivors will be central to the upcoming conference on ISIL accountability to be held by Qatar in Doha next year.

89. The Investigative Team has also continued to leverage various platforms in order to raise awareness of its work in Iraq and globally, including through social media and targeted engagement with national and international media outlets, while ensuring that appropriate levels of confidentiality are maintained.

VIII. Funding and resources

90. As the Investigative Team has moved into the fully operational phase of its work, the scope of targeted investigative activities necessary to fulfil its mandate has been clearly established. As detailed in section II, the investigative strategy of the Team has been developed so as to reflect the full range of crimes falling within its mandate, as well as the diversity of communities in Iraq affected by the crimes of ISIL. In parallel, the technical requirements of the work of the Team, particularly in the areas of forensic analysis and initial evidence review, have grown significantly.

91. 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.

92. The Team is grateful to the many States that have provided additional extrabudgetary support to its work since the commencement of its activities in 2018. A contribution by the United Arab Emirates will be used to enhance the work of the Team with respect to the investigation of sexual and gender-based crimes, while the support of the Netherlands has allowed the Team to enhance protection and support provided to survivors and witnesses. A recent contribution from Germany will be instrumental in supporting the establishment of a specialized function within the Team regarding the financing of ISIL crimes falling within its mandate. Recent contributions from the United Kingdom of Great Britain and Northern Ireland and the United States of America have ensured that the Team is able to address crimes committed by ISIL against all communities in Iraq and deliver meaningful support with respect to the excavation of mass grave sites. A further contribution from the Government of Qatar has also strengthened core operational and outreach activities. The Team is also grateful to the Governments of Cyprus, the Philippines and Slovakia for their contributions to the trust fund.

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

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

94. While significant progress has been made during the reporting period, the Team continues to adopt innovative approaches in order to address the inherent challenges it faces in the implementation of its mandate, in line with the terms of reference.

95. Cooperative modalities with the Governments of Iraq and other Members States will need to be further strengthened in order to expand access to all evidentiary material falling within the scope of the mandate of the Investigative Team and to

address the hurdles presented by the geographically disparate nature of key evidentiary material and persons of interest. Limitations on the number of forums in which evidentiary material collected by the Investigative Team can be used will continue to impact its ability to fully leverage its investigative work in support of national accountability efforts. The Team stands ready to work with all relevant national authorities to support the introduction of relevant measures in that regard, building on the now proven capacity of the Team to support domestic proceedings in cooperation with the Government of Iraq.

96. The absence of an explicit legal basis in Iraq for the prosecution of war crimes, crimes against humanity or genocide also continues to limit the capacity of the Team to more effectively support domestic accountability efforts in Iraq. In that regard, the Team welcomes the recent efforts of the Government of Iraq to establish the necessary legislative framework.

97. Over the next six months, the Team will retain its focus on developing comprehensive case files in line with its investigative strategy with a view to delivering accountability for those most responsible for crimes committed by ISIL, while ensuring it continues to respond to the needs of survivors and affected communities. Key focus areas in the coming six months, to be implemented in accordance with Security Council resolution [2379 \(2017\)](#) and the terms of reference, will include:

(a) Recruitment of all national professional officers within the Team by December 2019;

(b) Expansion of the provision of technical assistance and support to the Iraqi judiciary, prosecutors and investigators, in particular regarding the building of case files with respect to war crimes, crimes against humanity and genocide;

(c) Finalization of structural analyses related to the three initial investigative priorities of the Team, providing a robust, stand-alone evidentiary base to be drawn on by Iraqi authorities and those of third States in the investigation and prosecution of those crimes;

(d) Strengthening of partnerships with the Iraqi judiciary in the delivery of support to ongoing domestic proceedings in third States concerning crimes committed by ISIL in Iraq;

(e) Completion of the excavation of mass graves in at least three more sites in Iraq, in line with the investigative priorities of the Team and in close consultation with Iraqi authorities.

98. Owing to the complex operational environment within which the investigative work of the Team is conducted, these efforts will require the collective and concerted partnership of all actors, including national, international and United Nations system entities. Drawing on this cooperation and enhanced working relationships with Iraqi authorities, the Investigative Team will deliver on these priority areas within the existing framework of Security Council resolution [2379 \(2017\)](#) and the terms of reference.

X. Conclusion

99. Over the past six months, the Investigative Team has established itself as a fully operational entity with the capacity to deliver on its mandate. Dedicated field investigation units are moving forward with their work in line with the investigative priorities of the Team, harnessing crucial cooperative modalities with Iraqi authorities.

100. The capacity of the Investigative Team to demonstrate continued value to Iraqi counterparts and, more broadly, to the people of Iraq will be central to its ability to build on its successes. The Team will therefore seek to strengthen its cooperation with Iraqi authorities in the next six months in the development of evidence-based cases against ISIL members for war crimes, crimes against humanity and genocide, in a manner consistent with the terms of reference. These strengthened modalities of cooperation and support will also represent a crucial mechanism through which the Team can extend the range of documentary and digital evidence to which it has access in furtherance of its mandate.

101. In continuing this work, the Investigative Team remains conscious of the core of its mandate, the original impetus for the establishment of a partnership between the Government of Iraq and the international community in holding ISIL accountable for its crimes. It is the need for survivors of crimes committed by ISIL not simply to be seen as victims of terrorism, murder or rape, but to have their suffering recognized as a crime against their communities, as a crime against the people of Iraq, and for the true scale and nature of ISIL criminality to be exposed through the presentation of incontrovertible evidence in fair trials. Through its work in the coming months, the Investigative Team will redouble its efforts to unlock key evidentiary sources that may serve as a basis for an effective response to the demand for justice.
