



Security Council

Distr.: General
6 August 2019

Original: English

Implementation of paragraph 4 of Security Council resolution 2107 (2013)

Twenty-third report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to paragraph 4 of Security Council resolution 2107 (2013) and covers developments pertaining to the issues of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, since my previous report, dated 29 April 2019 (S/2019/352).

II. Recent activities with regard to the repatriation and return of all Kuwaiti and third-country nationals, or their remains

2. On 25 April 2019, the United Nations Assistance Mission for Iraq (UNAMI) attended the 108th meeting of the Technical Subcommittee of the tripartite mechanism, held in Kuwait, in its capacity as observer. The Ministry of Defence of Iraq provided an update on excavation and exploration works carried out over the previous two months, including follow-up on leads regarding potential burial sites in Karbala, Radwaniyah, Salman Pak and Barjisiyah in Iraq, as well as the naval base in Kuwait. The Technical Subcommittee agreed that the exploration works at the sites should continue. An excavation mission was conducted to Khamisiya, Dhi Qar Governorate, based on information provided by witnesses, but no human remains were found.

3. UNAMI presented to the Technical Subcommittee its assessment report on the use of ground-penetrating radar in exploring potential burial sites. The report was authored by the Service for Geospatial Information and Telecommunications Technologies in Brindisi, Italy, based on a visit to the Khamisiya site in February 2019. The Service concluded that the radar technology, in combination with electrical resistivity tomography, could be a useful tool in detecting subsurface human remains. However, for best results, it required the provision of contextual information, such as witness accounts and satellite imagery analysis, to narrow down the surface area for exploration. The Technical Subcommittee agreed to continue to gather contextual information that would further assist in identifying specific areas of interest.

4. The United States of America informed the Technical Subcommittee that it would soon be in a position to share with the International Committee of the Red



Cross (ICRC) an analysis of satellite imagery that might assist in identifying potential burial sites.

5. The Technical Subcommittee also discussed the exhumation of human remains in March 2019 from two burial sites in Samawah district, Muthanna Governorate, on the basis of GPS coordinates provided by the Kuwaiti side, witness testimony and satellite imagery analysis from ICRC. Following the excavations, the Medical-Legal Department of the Ministry of Health of Iraq created DNA profiles, which were provided to the Government of Kuwait for cross-checking with its prisoners of war DNA database.

6. Based on indications that the remains from Samawah might be those of Kuwaiti nationals, a Kuwaiti forensic team visited the Medical-Legal Department in Baghdad on 1 June to review the DNA profiling process carried out thus far and to transfer bone samples to Kuwait for further examination, in line with Kuwaiti law. The samples were handed over on 3 June under the auspices of ICRC and my Deputy Special Representative for Political Affairs, who signed a formal handover certificate as a witness. To ensure the confidentiality of the transfer, UNAMI made air assets available to the Kuwaiti expert team. On 19 June, ICRC issued a public statement on behalf of the Tripartite Commission in which it welcomed the discovery of remains in Samawah, believed to be of Kuwaiti citizens, including civilians and prisoners of war.

7. On 2 May, my Deputy Special Representative for Political Affairs visited Kuwait and met the Deputy Foreign Minister, Khaled al-Jarallah, the Assistant Foreign Minister for International Organizations, Nasser al-Hain, and the new Executive Director of the National Committee for Missing Persons and Prisoners of War under the auspices of the Ministry of Foreign Affairs, Rabi' al-Adsani. During the meetings, she discussed recent progress on the Kuwaiti missing persons file following the discovery of human remains in Samawah and reiterated the continued dedication of UNAMI to the file.

8. On 11 June, my Deputy Special Representative met in Baghdad with the Ambassador of Kuwait to Iraq, Salem al-Zamanan, who expressed his gratitude for the UNAMI assistance in facilitating the visit of the Kuwaiti team of experts to Baghdad. They agreed that the recent developments in Samawah had been encouraging and demonstrated that a combination of satellite imagery analysis and eyewitness information could deliver tangible results on that important file. My Deputy Special Representative expressed the hope that the DNA identification process in Kuwait would be rapidly finalized in order to bring some relief to the families of the missing, should the results prove positive.

9. On 28 June, the members of the Security Council travelled to Kuwait where they met the Deputy Prime Minister and Minister for Foreign Affairs, Sheikh Sabah Khalid al-Hamad al-Sabah. They also received a briefing on the Kuwaiti missing persons and property file, including the national archives, by my Deputy Special Representative and the head of the ICRC office in Kuwait, in his capacity as Chair of the Tripartite Mechanism.

III. Recent activities with regard to the return of missing Kuwaiti property

10. UNAMI continues to monitor the return of missing Kuwaiti property, in particular the national archives. During a meeting with officials from the Ministry of Foreign Affairs of Iraq on 15 May, UNAMI was informed that a substantial number of Kuwaiti books had been rescued from across Iraq and stored temporarily in the

library at the University of Baghdad, pending itemization, for subsequent transfer to Kuwait. UNAMI reiterated its readiness to facilitate the official handover and transport of the books to Kuwait.

IV. Observations

11. The recent exhumation of human remains in Samawah, if they prove to be from missing Kuwaiti persons, would constitute an important breakthrough on that humanitarian file and bring renewed hope of finding answers for the families of the missing after almost three decades. The potential breakthrough is a result of the enduring political will and determination of the Governments of Kuwait and Iraq and their sustained joint efforts, with support from ICRC. In that context, the swift announcement of the DNA analysis results would be welcome.

12. As regards the outstanding missing Kuwaiti property, I encourage the Ministry of Foreign Affairs of Iraq to capitalize on the momentum following the repatriation of a consignment of Kuwaiti property on 13 November 2018. Future efforts should focus on locating further Kuwaiti property, including by exploring ways to reinvigorate the search process, in particular, for the national archives. The books that have been collected and stored at the University of Baghdad should now be transferred to Kuwait without further delay.

13. I commend the Tripartite Mechanism on its dedication and persistent efforts. The Mechanism's members have diligently continued their individual search for relevant historical aerial and satellite imagery held in State and military archives. I hope that some material can soon be handed over to ICRC, with a view to identifying the location of further burial sites.

14. I reiterate the determination and commitment of my Special Representative and my Deputy Special Representative for Political Affairs to expedite progress on the file by promoting, supporting and facilitating the efforts of the Governments of Iraq and Kuwait and by exploring relevant technical assistance that can be provided by United Nations institutions.
