

**UNITAD-NGO Dialogue Forum:
Fourth Biannual Plenary Roundtable**
05 October 2022

Meeting Summary

Background / Purpose of Meeting

The UNITAD-NGO Dialogue Forum provides a platform for a continuous exchange of information between UNITAD and Iraqi and international NGOs, on issues pertaining to the common objective of holding members of ISIL accountable for crimes against humanity, war crimes and genocide.

The Fourth Biannual Plenary Roundtable meeting of the UNITAD-NGO Dialogue Forum, held on 05 October 2022, was the first to convene in-person, as the Forum has been holding its meetings virtually since its launch in December 2020. The previous plenary meeting was the third Biannual Plenary Roundtable, which convened on 15 February 2022, and during which Special Adviser Christian Ritscher gave an overview of his vision for the work of UNITAD and the cooperation with the NGO community.

The Fourth Biannual Roundtable's principal objective was allowing for participating NGOs to share reflections and recommendations on how the Investigative Team can best implement its mandate.

Special Adviser Christian Ritscher provided an overview of the latest activities of the Team, including UNITAD's most recent report and briefing to the UN Security Council, and the Team's priorities for the upcoming months.

In each biannual plenary roundtable, a space is given for survivor groups from specific communities to share their views on what justice means to them, ongoing challenges they face today, and recommendations on how UNITAD can be orientated to best serve the interests of survivor communities. For the Fourth plenary roundtable a speaker from the Shabak community was given the floor, and several NGOs from the Shabak community took part in the event as well.

The UNITAD-NGO Focal Point served as the facilitator of this meeting and accordingly, the summary note of the meeting captured observations and recommendations based on points raised during the discussion, aiming to cover some main points:

- Priorities for NGOs in the next 6 months related to UNITAD's mandate.
- How can UNITAD engage better with the NGO community?
- What are the best practices for effective collaboration?

The meeting started by providing a general overview of the agenda, and procedural matters. The Forum is committed to provide a safe space for all community members to share their thoughts and experiences

and respects and values the opinions of participants from all Iraqi communities impacted by the crimes of ISIL. Participants were reminded to refrain from accusatory language or offending terminology.

A reminder was also conveyed to all participants that UNITAD's Public Information Office will be taking photos and videos during the event for documentation and publication purposes. Any participant wishing not to appear in photos or videos should notify the Public Information team or the meeting facilitator.

Opening remarks-Special Adviser and Head of UNITAD

During his opening remarks, Special Adviser and Head of UNITAD Christian Ritscher gave an overview of the latest activities of the Team as described in the latest report to the Security Council.

SA Ritscher warmly welcomed the NGOs representatives, especially those attending the Froum's events for the first time. He also stressed the importance of this meeting and the work of the UNITAD-NGO Forum overall as: "an important arm of collaboration and cooperation between UNITAD and the NGO community."

He also noted that convening for the first time in person, the roundtable: "makes this platform even more engaging and conducive for deeper communication, collaboration and opening the doors for new cooperation."

The Special Adviser then proceeded to present an overview of the Team's work over the previous months, mainly on the progress in UNITAD's structural investigations, covering ISIL crimes against all affected communities; Yazidis, Shia, Sunni, Christian, Kaka'i, Shabak and Turkmen Shia. He mentioned that the investigations will continue to document evidence on ISIL's crimes against all affected communities, aiming to ensure prosecutions of ISIL perpetrators.

The Special Adviser also noted the progress in the digitization project that has enabled the digitization of over 4.5 million documents, which constitute over half of the total estimated number of pages of available paper documentary evidence relating to ISIL crimes in Iraq.

He further explained the Team's investigations into ISIL's development and use of chemical and biological weapons, especially gathered information in relation to the attack in Tazah Khurmatu, which took place on 8 March 2016.

On upcoming investigations, Special Adviser Ritscher indicated that in the coming months, UNITAD aims to look deeper into the crimes committed in Mosul, the capital of the so-called "caliphate" of ISIL as a key investigative area to provide a fuller picture of the crimes committed by the group and their structure and leadership.

Another area of focus is to further investigations into ISIL's chemical and biological weapons program, as explained by SA Ritscher, as well as the investigations into ISIL's destruction of cultural heritage.

Concluding his remarks, Special Adviser Ritscher stressed that the “ultimate purpose of UNITAD’s work here is to hold members of ISIL, those who committed such heinous international crimes, accountable through evidence-based trials before competent courts”, highlighting that the Team’s mandate deals with international crimes not with terrorism: “this distinction is key in terms of legal implications, as well as victims’ rights and their participation in the accountability process. What we want to see is Iraq playing its natural leading role in pursuing accountability for ISIL international crimes, according to international standards and in line with UN policies and best practices.”

In the end, he invited attending organizations on venues of strengthened cooperation towards the common goals.

Spotlight: Shabak Community

Presenting remarks in the spotlight segment was Dr. Salem Shabak, Director of Al Shabak Center for Cultural and Social Center.

Dr. Salem gave a general overview of the rise of ISIL and stressed the importance of working with youth groups on enhancing diversity and combating the “deviant mentality of ISIL.” He explained how youth remain the most impressionable segment of society and how their role is essential for the process of rebuilding the country, reaching reconciliation and guaranteeing that such atrocities do not happen again.

He described how ISIL’s hate speech against minorities persisted despite the group’s fallout. He also called for more dedication to work with the Shabak minority with a clear vision to seek justice for this under-represented minority that has suffered greatly at the hands of ISIL perpetrators.

Plenary Discussions

In the plenary discussion segment of the roundtable, all participating NGOs were requested to give introductions (through *a tour de table*), and to provide their comments and recommendations on furthering UNITAD’s investigations into crimes committed against the communities they work with.

Rounding back to investigations of ISIL crimes against the Shabak community, some participating NGOs stressed the importance of documenting the crimes committed by ISIL, especially with regard to the destruction of their cultural heritage.

Several Iraqi NGOs provided information on different areas for investigations where they would be able to support UNITAD with studies, statistics, and reaching out to survivor communities. Different locations were highlighted in Nineveh plains where historical and cultural sites were destroyed by ISIL, and where the group has left several mass graves, as well as attacks on several areas belonging to the Christian communities. The area of Telfar and the mass graves in the surrounding areas, as well as the work to

liberate kidnapped members of the community, and efforts for transitional justice were highlighted as well. Some participating NGOs from the Turkmen community explained that there needs to be further work with Telafar survivors to document their witness accounts as the Turkmen community was systematically targeted by ISIL.

Discussing UNITAD's support for national institutions serving victims and survivors, Emma Organization commended the role which UNITAD's Witness Protection and Support Unit psychologists are playing to build the capacities of national service providers in the area of psychosocial support. Emma organization called for the continuation of UNITAD trainings for NGOs on trauma-informed approaches, and psychosocial and mental health for service providers who are working directly with victims and survivors of ISIL crimes. Emma Organization further requested the expansion of this capacity building support to reach more organizations in Iraq.

Main questions raised by participating NGOs during the plenary, and UNITAD's responses

How does the scope of UNITAD's investigations cover ISIL crimes committed against smaller minorities?

UNITAD has a dedicated Field Investigative Unit (FIU) that investigates ISIL crimes against all affected minorities including the Turkmen-Shia, and Shabak communities. There is also a dedicated FIU investigating crimes against the Christian community. UNITAD's investigations aim to cover ISIL crimes committed against all affected communities in Iraq, as there is no hierarchy of victims. UNITAD's mandate is to specifically investigate crimes committed by ISIL members.

The Team is working with national authorities, mainly the Mass Graves Directorate-MGD, and Medico-Legal Directorate-MLD to support opening additional mass graves in all areas where ISIL crimes were committed (including in Tel Afar), and that happens through a national mass graves plan set up by the Iraqi authorities. The Team also builds the capacities of national counterparts in this area and provides them with equipment for mass grave excavation and identification of human remains to carryout excavations in all areas.

What kind of legal framework is needed to see trials on charges of international crimes and not counter terrorism? To what extent does UNITAD's work feed into criminal justice systems? Is an international tribunal an option?

It is crucial that ISIL crimes are described as they were: international crimes, such as war crimes, crimes against humanity and in some cases genocide. This is crucial for victims' participation: that the victims give their testimonies and take part as witnesses in trials. The perpetrators should be faced by the record of the heinous crimes which they committed. This is what UNITAD is currently doing, in cooperation with Iraqi judges, in supporting prosecutions in a number of third states, where jurisdiction for ISIL international crimes can be established.

There are several options for the best solution to put ISIL perpetrators on trial whether at national or international levels. But this remains an Iraq-led process. UNITAD hopes that ISIL perpetrators can be charged for international crimes in Iraq. The Special Adviser is in continuous discussions with the Judiciary, and the Team stands ready to provide technical assistance to the Council of Representatives to ensure that an appropriate legal framework that allows for dealing with ISIL crimes as international crimes can be adopted. Meanwhile, UNITAD is working with the Iraqi judiciary to build capacities and enable the judges to prosecute perpetrators on grounds of committing international crimes, so that the judiciary is ready for such trials without delay when an appropriate legal framework is in place.

Some recommendations from participating NGOs

1. To intensify efforts to open additional mass graves in different areas of Nineveh plains and Mosul.
2. To continue training, capacity building in Psycho-social Support, and expand the reach to more organizations working with different survivor communities.
3. To place more effort in investigating destruction of religious and cultural heritage, ISIL chemical weapons, and the destruction of oil refineries.
4. To consult with NGOs in setting the agenda for upcoming plenary roundtables of the Forum.
5. To provide updates on operational cooperation between UNITAD and NGOs.

Closing remarks:

In his closing remarks, the Special Adviser thanked all attending NGOs for their participation, stressing again the opportunities presented by holding the Forum's meetings in person, and inviting the attendees to continue with the engagement and discussions after the meeting is concluded. SA Ritscher also reiterated the Team's commitment to investigate ISIL crimes against all affected communities, through its different investigative units that engage with these communities on continuous bases.