



Security Council

**Briefing by Mr. Christian Ritscher  
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Team to Promote Accountability for Crimes Committed by Da'esh  
/ Islamic State in Iraq and the Levant**

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Madam President, Distinguished Delegates,

I am honored to address you today to deliver the ninth report of UNITAD, the United Nations Investigative Team to Promote Accountability for the Crimes committed by Da'esh/ISIL.

Over the last reporting period, my Team continued to advance its investigations into international crimes committed by ISIL against all communities of Iraq.

The Team continuously engages in constructive and supportive dialogue with Iraqi counterparts, notably with the judiciary as well as with Iraqi political authorities. Furthermore, the consideration and concerns of all communities impacted by ISIL crimes in Iraq remain at the forefront of the Teams' investigative work.

Since I last reported to this Council, the Team - of course - has continued to implement its independent investigative activities in accordance with its mandate, and in compliance with its Terms of Reference. Various lines of investigations have developed from purely researching endeavours to dynamic case-building strategies. All this investigative work would not be possible without close cooperation of the national authorities of Iraq, including the Kurdish Region.

Allow me to highlight some examples of the progress made:

A key outcome has been the completion of the case assessment focused on crimes committed against the Christian community in Iraq, particularly in the Nineveh Plains. Evidence collected and analysis conducted thus far substantiate preliminary findings from my last report that ISIL commissioned acts such as seizing of properties, looting and destruction of churches, the commission of sexual violence against, and enslavement and forcible religious conversions of members of the Christian community. These acts constitute crimes against humanity and war crimes, including but not limited to forcible transfer, persecution, pillage, sexual violence and slavery, and other inhumane acts, such as forced conversion as well as intentional destruction of cultural heritage and religious sites protected under international humanitarian law. In this respect, the Team identified a number of ISIL leaders and members originating from areas nearby but also fighters from foreign countries who considerably participated in these attacks.

The Team's investigations into the development and use of chemical and biological weapons by ISIL have notably progressed. Evidence collected continues to support that ISIL manufactured and produced chemical rockets and mortars, ammunition, warheads and improvised explosive devices, in addition to the development, testing, weaponization and deployment of a range of chemical agents highlighted in my last report. The Team met with affected communities and Iraqi authorities at several incident sites and has focused on the 8 March 2016 attack against Taza Khurmatu, which has generated significant volumes of battlefield evidence.

Importantly, UNITAD started to advance with its investigations into ISIL's destruction of cultural heritage in Iraq. These investigations represent a breakthrough in the landscape of core international crimes investigations. So far,

the evidence obtained shows that religious and cultural sites were either intentionally destroyed by ISIL, or taken over and occupied, sometimes for military purposes. This resulted in severe damage or destruction to these sites. While the motives and methods adopted by the perpetrators are still being reviewed and analyzed, it appears that explosives and heavy equipment were used to destroy many of those heritage sites. Several ISIL fighters responsible for these crimes have already been identified. In collaboration with UNESCO, this ongoing work will provide the basis for a case assessment report, giving a detailed picture of this aspect of ISIL's heinous crimes; crimes that targeted the history and culture of Iraq, and that of humanity at large.

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In parallel, my Team kept advancing continued support to capacity-enhancement initiatives directly serving our Iraqi counterparts:

Only a few days ago, the Team enabled an intensive one-week training to nineteen judges from across Iraq, including the Kurdish Region, on international humanitarian and criminal law and the practical use of it, hosted by the International Nuremberg Principles Academy in Germany. This training was the first of its kind at this scale and brought together a range of renowned academics and practitioners, who provided in-depth knowledge on issues of international criminal justice. Along these same lines, a pilot training course on international crimes case-building was held in October with eleven investigative judges and prosecutors from the Kurdish Region. This is critical to provide technical assistance to judges on international criminal law and help ensure sustainable capacity at the practitioners' level, to investigate and prosecute ISIL members for the crimes they committed in Iraq in fair and evidence-based trials, in line with international standards. Furthermore, my Team continued to support the excavation of several ISIL-related

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mass graves in Iraq according to the annual road map agreed to with the Government of Iraq and international partners. Implementation of this road map was made possible through close cooperation with the Mass Graves Directorate of the Martyrs Foundation and the Medico-Legal Directorate of the Ministry of Health, as well as field-based assistance from Kurdish authorities.

In close coordination with these same Iraqi counterparts, UNITAD has agreed with the federal authorities of Germany to collect data and DNA reference samples from the Yazidi community residing in Germany. Based on this agreement, a forthcoming campaign will be organized to collect these reference samples for the purpose of identifying human remains currently held in Iraq, allowing survivors to eventually mourn their beloved ones. As part of this programme, psychosocial support training is provided to Iraqi authorities to ensure international best practice is maintained when dealing with victims and survivors.

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

UNITAD has been working as part of the UN system-wide efforts to address the issue of repatriation of Iraqi nationals from camps in neighbouring countries. Most recently, just last month, we took part in the meeting of the Technical Working Group for the Implementation of the Global Framework for Iraqi Returnees from Syria, as members of the sub-group on security and accountability. This work is done jointly between concerned UN offices, including the UN Office on Counter-

Terrorism, and Iraqi national authorities, in particular the National Security Advisory. UNITAD will intensify this important work in accordance with the mandate in order to contribute to reconciliation and security in Iraq.

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I would like to take this opportunity to express my gratitude to our Iraqi counterparts. In October, I had the honor of meeting with the new President and Prime Minister as well as the National Security Adviser of Iraq. I continue to meet with many other counterparts, including the President of the Supreme Judicial Council. I am grateful for the renewed support to the work of my Team and for the fruitful cooperation on our existing partnership, notably at the level of the judiciary.

UNITAD remains committed to improving modalities of information sharing with its Iraqi counterparts. Time and again, the Team has expanded and further operationalized arrangements with members of the Iraqi judiciary to allow information to be shared on financial crimes committed in connection with ISIL activities in Iraq. The Team continued to find ways to be able to further share information in line with its Terms of Reference. In this regard, I remain hopeful that a Memorandum of Understanding between UNITAD and the National Security Advisory of Iraq will soon be concluded to enable the sharing of information for the purpose of supporting the United Nations Sanctions Regime. This Memorandum of Understanding which was jointly drafted is awaiting the approval process within the Iraqi Government. In anticipation of this, a series of meetings was held to further familiarize relevant Iraqi experts in the listing and application processes.

One of our key goals is to support Iraq in playing a leading role in holding ISIL members accountable for international crimes. As I mentioned, UNITAD is committed to building capacities of the judiciary in Iraq to work towards fair and just trials in accordance with applicable standards of the United Nations. Equally,

we encourage the Iraqi Council of Representatives to consider adopting adequate domestic legislation on core international crimes, such as war crimes, crimes against humanity, and genocide. UNITAD stands ready to provide technical assistance to this end. The recent government formation gives us hope that such legislation could be prioritized on the agenda soon. UNITAD is firmly committed to support Iraq towards that goal, while dedicated to and bound by the United Nations policies and best practices. Thus, the sharing of evidence with the Iraqi judiciary for criminal proceedings can only take place once the respective legal requirements and standards are met, in terms of substantive and procedural law.

Additionally, please let me emphasize on this: sharing information with the Iraqi judiciary to support investigative work and ongoing judicial proceedings means a lot more than just handing over a huge box of evidentiary material that is comparable to thousands, even millions of puzzle pieces. To promote accountability for international crimes committed by ISIL in Iraq means to deliver tailored assistance in accordance with the needs of the respective investigative judge or court. This could pertain to the sharing of evidentiary information, but can also imply specific trainings and the sharing of experience and best practice in terms of handling the huge volume of evidence which is already in possession of the Iraqi judiciary.

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As conveyed in my previous report to the esteemed Council, UNITAD has been providing support not only to the Iraqi authorities, but also to Member States in various parts of the world for their ongoing investigations and prosecutions. This support continued to increase during the previous reporting. It is administered in accordance with the Team's mandate to promote accountability for ISIL crimes throughout the world, and where necessary in consultation with the Government

of Iraq. So far, 17 Member States have requested assistance from UNITAD to support their national prosecutions. The ability of the Team to collect testimonial evidence from witnesses in direct response to these requests, combined with its capacity to identify corroborating internal ISIL documentation from battlefield evidence, has been of significant assistance in supporting investigations by national jurisdictions within these Member States. Several of the investigations supported by UNITAD are anticipated to lead to judicial proceeding in the respective Member State in the near future.

Furthermore, the Team continues to assist the Joint Investigation Team, or JIT, currently consisting of the national prosecutorial authorities of Sweden, France, and Belgium. The goal of the JIT is to adjudicate core international crimes committed by ISIL members against the Yazidi community in 2015. UNITAD supports this effort through focused interviews with Yazidi witnesses both in Iraq and abroad; the collection of battlefield evidence related to Yazidi enslavement networks; as well as specific searches against evidence in our holdings. This work is key in ensuring that ISIL perpetrators, those who committed such heinous international crimes are held accountable before competent courts, wherever they are. While doing so, the Team takes all necessary measures to minimize the potential re-traumatization of witnesses, in line with our commitment to a victim-centered approach.

My Team consistently engages with a wide range of stakeholders, including national authorities, religious actors, survivor groups, and non-governmental organizations to promote accountability for crimes committed by ISIL, both in Iraq and globally. In November 2022, UNITAD co-hosted with The Embassy of Iraq to Egypt and The League of Arab States a Special Event on “Command Responsibility, Identifying Leaders and the Role of ISIL Foreign Fighters” in Cairo in Egypt, the first

event that of its kind in the region. Cooperation with survivors in the investigative daily work, but also in the well established format of the NGO Dialogue Forum continues to be placed at the center of the Team's work to ensure that the interests of the affected communities in achieving accountability for ISIL crimes are fully realized and recognized.

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At this pivotal stage of our mandate, please allow me to state that my Team has now reached the next level on the path of holding ISIL perpetrators accountable for the core international crimes they committed.

While maintaining the same dedication to our investigative lines and capacity-enhancement activities, UNITAD will also shift towards a stronger and systematic support of individual accountability proceedings of alleged members of ISIL for international crimes before competent courts. The mandate of UNITAD is not geared towards creating a widely unknown archive behind closed doors containing the history of ISIL. UNITAD was established by this Council to make sure that the perpetrators of the most heinous crimes committed by ISIL in Iraq are held responsible in courts of law and that justice will be served. To promote accountability means to raise awareness amongst all Member States of the United Nations for the work of UNITAD, and to be in regular contact to exchange with all competent authorities in Iraq and abroad. Within the coming months, the Team will further improve its capabilities to cooperate with investigative and judicial authorities in this regard.

My Team remains at the disposal of the Iraqi judiciary and any national jurisdiction committed to indicting ISIL perpetrators for alleged mass atrocity crimes.



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My Team is ready to support any discussion, sharing of expertise, capacities or analytical products that can serve accountability processes for core international crimes committed by ISIL.

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

I thank you for your attention and your continuous support.