

# Kurdistan Regional Government

## KRG and UNITAD Work Activities



**NB: Report has been prepared by the Office of the Coordinator for International Advocacy (OCIA)**

**July 2020 – March 2023**

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## **I. Introduction**

With the call of the government of Iraq to the international community to assist in ensuring that ISIL members are held accountable for their crimes in Iraq, the international community responded to this call with one voice, where the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) was established pursuant to Resolution 2379 (2017).

In the Federal Government, the National Coordination Committee (NCC) has been designated to ensure that UNITAD is provided with assistance in order to fulfil its mandate. The Office of the Coordinator for International Advocacy (OCIA) Regional Government has been assigned to be the prime communication office in the bilateral cooperation and coordination between UNITAD and the KRG institutions. In November 2020, the KRG entrusted a committee '*The High Ministerial Committee to Recognize the Atrocities and Crimes Perpetuated by ISIL as Genocide*'. The committee pursues the following goals: fair trials and the recognition of the atrocities as genocide internationally, in addition to enhancing the coherent coordination between U N I T A D and KRG by exerting power on governmental institutions to comply, compromise legal and political consensus, and facilitate the pre-trial process of gathering information and capacity-building.

The Office of the Coordinator for International Advocacy (OCIA) has hereby prepared the following report to provide an extensive report on the activities jointly performed by the KRG counterparts and UNITAD. This report also sheds light on the bilateral and roundtable meetings that has taken place between UNITAD delegations and KRG counterparts. This report is updated on a regular basis to ensure a central tracking mechanism of all KRG's activities and work developments with the Investigative Team follow a chronological order.

KRG Office of the Coordinator for International Advocacy (OCIA) expresses its appreciation to all KRG institutions and counterparts for their active role and utmost support in relation to the enhancement and the facilitations with regard to KRG's cooperation and coordination with the Investigative Team. The General Directorate of Asayish and the General Directorate of Counter-Terrorism are key partners in providing assistance to the joint KRG and UNITAD efforts to promote accountability for crimes committed by Da'esh that may amount to war crimes, crimes against humanity and genocide.

Since the start of their mission the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL in Iraq, the Special Advisor and Head of UNITAD briefs the UNSC (on an every 180 days basis) to highlight the continuous engagements and investigations of the Team with Iraqi and KR Counterparts during the reporting period.

In his regular reports, the SA sheds light on their continued partnership with Iraq and KRG involved in several areas. This includes advanced support to capacity building for Iraqi judges, as well as supporting the excavation of several ISIL-related mass graves in Iraq according to the annual road map agreed to with the Government of Iraq and international partners, and the preservation of evidence on ISIL-related crimes.

This report also covers the outstanding issues between the KRG and the Investigative Team, including the KRG legislation to establish a criminal court in the KR to hold ISIL members accountable for acts that may amount to war crimes, crimes against humanity and genocide, a location to interview ISIL detainees, hiring Iraqi experts, Memorandum of Understanding (MoU), and establishing of a witness protection department.

## **II. The National Coordination Committee (NCC)**

The National Coordination Committee (NCC) was formed by the order of the Divan of the Iraqi Council of Ministers on 20<sup>th</sup> August 2019 to cooperate and coordinate with UNITAD to ensure that sustained assistance is provided to the Investigative Team to fulfill its mandate. The Committee was headed by the Director of the Office of Iraqi Prime Minister. The committee was later overseen by the Office of the Iraqi Minister of Foreign Affairs. On 7<sup>th</sup> September 2021, the NCC welcomed its new head, the Deputy Minister of Foreign Affairs, Mr. Qahtan Taha Khalaf.

### **Membership within the Committee includes the following:**

1. Dr. Qahtan Taha Khalaf, Deputy Minister of Foreign Affairs of Iraq, chairperson of the Committee
2. Issam Hatim Hussein, Deputy National Security Advisor
3. Ghasan La'abi Manati, Representative of PM's Office
4. Murtadha Hassan Asha'an, Representative of National Security of Iraq
5. Fikrit Hussein Alwan, Representative of the Supreme Judicial Council
6. Dr. Dindar Zebari, KRG Coordinator for International Advocacy
7. Khalil Ibrahim Hussein, The High Commission for Coordination between Governorates
8. Saad Ni'ma Maktoof, Ministry of Foreign Affairs – Legal Department

### **III: The High Ministerial Committee to Recognize the Atrocities and Crimes Perpetuated by ISIL as Genocide**

The High Ministerial Committee was entrusted by the Kurdistan Regional Government in November 2020 to achieve the following goals: fair trials and the recognition of the atrocities as genocide internationally, in addition to enhancing the coherent coordination between UNITAD and KRG by exerting power on governmental institutions to comply, compromise legal and political consensus, and facilitate the pre-trial process of gathering information and capacity-building.

#### **The Committee is chaired by the Minister of Interior with the Membership of the Following Government Ministers**

1. Rebar Ahmed, Minister of Interior
2. Fursat Ahmed, Minister of Justice
3. Kwestan Mohammed Abdullah, Minister of Labour and Social Affairs
4. Abdullah Haji Mahmood, Minister of Martyrs and Anfal Affairs
5. Khalid Shwani, Region's Minister for Negotiation Affairs with the Federal Government
6. Dr. Vala Fareed, Region's Minister for Parliament Affairs
7. Dr. Omed Sabah, President of the Divan of Council of Ministers
8. Dr. Amanj Rahim – Secretary of the Divan of Council of Ministers
9. Dr. Abdulhakim Khasrow, Head of the Coordination and Follow – up Committee
10. Safeen Dizayee, Head of the KRG Department of Foreign Relations
11. Dr. Dindar Zebari, the KRG Coordinator for International Advocacy continues to be the KRG Representative to UNITAD and NCC (The KRG Office of the Coordinator for International Advocacy continues to be the mainstream governmental office to coordinate with UNITAD).
12. Mona Yokhana Yaqo, President of the Independent Human Rights Commission in Kurdistan Region (attends the regular meetings).

## **IV: KRG and UNITAD Work Activities Starting from July 2020**

### **A. Assistance in Support of the Requested Prioritized Information Sharing from the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD)**

- On August 2020, a survey was distributed to all the relevant KRG entities that have evidentiary documents in relation to ISIL crimes in their possession. The survey was a digitization survey with a key-focus on the state and the capacity of the archives that entity had held.
- Prior to Eid Al-Adha 2020, two outstanding requests for information were re-forwarded to the General Director of the Yezidi Affairs and Head of CIGE where UNITAD had requested copies of all the interviews and statements that had been taken by their respective offices from survivors of Da'esh to date.
- On 5 August 2020, a USB flash drive from the General Director of Yezidi Affairs, containing the statements from the survivors of Da'esh that had been taken by the Yezidi Rescue Office was submitted to UNITAD.
- On 7<sup>th</sup> August 2020, copies of the statements from survivors of Da'esh, collected by the Commission for Investigation and Gathering Evidence were submitted to UNITAD.
- UNITAD's prioritized Request for Information (RFI) was forwarded to the Counter-Terrorism Directorate, Ministry of Peshmerga, Asaysh, Ministry of Martyrs and Anfal Affairs, Ministry of Endowment and Religious Affairs and Ministry of Interior (MOI).
- On 24<sup>th</sup> August 2020, the KRG Office of the Coordinator for International Advocacy (OCIA) gathered the surveys completed by all the relevant departments/ministries and forwarded them to UNITAD. The completion of the surveys was considered the first phase of the archiving and the digitization project. This paved the way to initiate the second phase of the project.
- On 27<sup>th</sup> August 2020, response to the prioritized RFI from the Counter-Terrorism Directorate (CT) and Asayish Directorate was submitted to UNITAD. Thus, KRG was successful in submitting the prioritized requested information prior to the deadline (31 August 2020 set by UNITAD).
- In July 2020, UNITAD's official letter was transmitted to the Judicial Council regarding a request for cooperation. On 2 September 2020, the Judicial Council's formal response was transmitted to UNITAD where the Judicial Council expressed their readiness to cooperate for the purpose of data collection process and investigations.
- UNITAD's Chief of Staff, Gerald Casey, was on a mission in Erbil and Duhok in the first week of September 2020. On 13 September 2020, UNITAD reached out to OCIA requesting help with identifying a focal point from the Ministry of Health to assist UNITAD to secure 5 beds in a Duhok hospital as a contingency for the UN staff in Duhok. In addition to engaging in a dialogue to establish a memorandum of understanding (MoU) with the Ministry of Health (MoH). Per UNITAD's request, OCIA contacted the Minister of Health to assign a focal point for this specific matter; MoH identified Harbi As'ad Kito as a focal point.
- On 6<sup>th</sup> September 2020, a list was submitted to UNITAD that included the names of the focal points of all the relevant ministries and departments for the purpose of maximizing the benefits of UNITAD trainings to all the KRG institutions and bodies. The list included members from

Ministry of Endowment and Religious Affairs, Ministry of Interior, Ministry of Justice, Ministry of Peshmerga, Ministry of Health, Ministry of Labour and Social Affairs, Ministry of Martyrs and Anfal Affairs, High Council of Women's Affairs, Zeravani, Public Prosecutor's Office, Governorate Representatives, CIGE, Asayish, Counter-Terrorism, and the Kurdistan Region Parliament.

- In mid-September 2020, further information from the Counter-Terrorism Directorate relevant to the prioritized request for information, which was a 7 pages document providing information on roles, capture the deaths of eight ISIL leadership members was submitted to UNITAD.
- Regarding the Judicial Capacity Building project, UNITAD requested the assignment of a focal point from the Judicial Council that could assist throughout the process of the judicial capacity building and provide support. A formal response was given by the Judicial Council and Judge Brahim Ismail Hamad, the president of the court of appeal of Erbil, was identified as a focal point.
- On 1<sup>st</sup> November 2020, an official request letter signed by UNITAD's Special Adviser, Karim Khan was transmitted to Judge Ayman Mustafa, where the SA requested the latter to issue an appropriate request or order addressed to the telecommunications provider "Korek Telecom" for onward transmission to UNITAD, of all Call Data Records (CDRs) in its possession connected to the use of any cell site tower in the vicinity of Kojo/Kocho for the period of 1 to 20 August 2014, inclusive.
- As part of the digitization project, UNITAD's team reached out to OCIA to provide names of candidates from KRG project partners to work for UNITAD on the archiving/digitization project as Associate Information Management Officer and Archives Assistant. OCIA forwarded multiple names of candidates from the Ministry of Justice as well as from the Ministry of Peshmerga. OCIA also contacted universities to get list of names of candidates from Salahaddin University as well as Polytechnic University.
- In November, OCIA transmitted a list of UNITAD's questions addressed to the Counter-Terrorism Directorate. UNITAD's list of questions was derived from information reports that CT had previously submitted to UNITAD in relation to the prioritized request for information. CT's response to the questions was transmitted to UNITAD.
- In November 2020, OCIA requested UNITAD's Senior Legal Officer to provide advice and guidance on the international elements that should be incorporated into a domestic legislation to ensure that KRG's draft legislation will meet international standards.
- On 2<sup>nd</sup> of December, UNITAD's SLO shared an outline providing features that could be incorporated into the KRG legislation to domesticate international crimes.
- In January 2021, UNITAD's project manager, Shadrack Katuu, submitted an overview on the digitization project progress to KRG.
- On 18<sup>th</sup> January 2021, the KRG Representative to UNITAD conveyed his concerns to UNITAD regarding the exclusion of the KRG representatives in the preparations for the burial ceremony of the Yezidi remains. Furthermore, the KRG representative during his communication with UNITAD highlighted, "There are concerns that foreign counterparts are 'unintentionally' providing political victory to the Iraqi Federal army and popular mobilization forces and 'unintentionally' diminishing the role and the sacrifices of the Kurdistan security forces (Peshmerga) by excluding the presence of KRG representatives." Following this, UNITAD requested the NCC to involve members of the KRG in the procedures. KRG's concerns were also raised to the Head of the NCC,

Ambassador Luqman Faily.

- In January 2021, UNITAD submitted a protocol document in connection to detainee interviews in order to prepare for interviewing those detainees that are in the custody of the KRG. The document was shared with Asayish and Counter-Terrorism Directorates.
- On the same day, a meeting was arranged for UNITAD's delegation with the Ministry of Interior (MOI) where MOI and UNITAD reiterated the importance of speeding up the digitization project.
- On 19<sup>th</sup> January 2021, the Commission for Investigation and Gathering Evidence (CIGE) submitted ten additional hardcopies of statements of survivors to UNITAD.
- On 10<sup>th</sup> February, UNITAD submitted a list of questions directed to Counter-Terrorism Directorate in relation to the priority topic regarding (ISIL's Sexual Slavery Networks).
- On 14<sup>th</sup> February 2021, the High Ministerial Committee reached a final decision where it was unanimously agreed that the Digitization/Archiving project in the KRG should be centralized in the allocated space at the MOI. Thus, two days later, UNITAD installed two workstations (Laptop/scanner/UPS) at the Centralized Archive in the MOI.
- On 4<sup>th</sup> March 2021, the names and CVs of two candidates from KRG to work as national judicial investigators with UNITAD was submitted to the NCC.
- In March, UNITAD shared two documents in relation to the digitization requirements from KRG project partners and the requirements from MOI subsequently the documents were transmitted to all the relevant counterparts on the same day.
- On 10<sup>th</sup> March 2021, OCIA received an official request letter from the Special Advisor and Head of UNITAD addressed to the Head of CIGE, Judge Ayman Mustafa, requesting assistance in Preserving Fanoos Telecommunications Company records for the period between 2014 and 2017. The request letter was transmitted to the intended recipient on the same day.
- On 17<sup>th</sup> March 2021, in response to UNITAD's prioritized request for information, requesting video evidence on ISIL crimes, the Directorate of Intelligence in Peshmerga Ministry submitted a CD (USB) and a document showing crimes that have been committed by ISIL against unarmed civilians. These items were transmitted to UNITAD's information analyst on 18 March 2021. An evidence intake form was signed on the same day.
- In March 2021, the following documents were shared with UNITAD's legal team:
  - A. A copy of KRG draft legislation in Arabic language
  - B. A copy of the "Rules of Procedure and Evidence Collection"
  - C. A copy of notes in both Arabic and English languages, prepared by the legal team in the Office of the Coordinator for International Advocacy (OCIA)
- Following security clearance for two additional KRG candidates to work with UNITAD as national investigative judges and prosecutors, the P11 forms and the CVs of two additional candidates were shared with UNITAD on 18 March 2021:
  - 1. Judge Bashdar Majid Ahmed



## 2. Judge Abdulsattar Mohammed Ramadhan

- In line with KRG's commitment to support UNITAD's investigations and collection of evidence to promote accountability for crimes committed by Da'esh/ISIL, the KRG High Ministerial Committee provided approval on UNITAD's request for detainee interviews to take place in UNITAD premises. In accordance with this decision, the KRG representative to UNITAD informed the investigative team about KRG's official stance with regard to this specific request.
- On 4<sup>th</sup> April 2021, a copy of Korek Telecommunications Company's official response letter to the court order regarding the call data records of Korek's cell towers in the Kojo village in Sinjar from 1 August 2014 to 20 August 2014 was transmitted to UNITAD. The aforementioned company provided a list of the CDRs.
- Following the submission of a copy of KRG's draft legislation to UNITAD, on 6 April 2021, UNITAD's Senior Legal Officer shared his comments and recommendations on KRG's draft legislation. The proposals were shared with the High Ministerial Committee and the Shura Council on the same day.
- On 20, 25 and 27 April 2021, in response to the Special Advisor's request letter on inviting and identifying senior investigative judges and prosecutors to participate in UNITAD's online training program on International Criminal Law (ICL); OCIA forwarded multiple lists of names to UNITAD that were provided by the Judicial Council and the Public Prosecutor's Office.
- On 21<sup>st</sup> April 2021, UNITAD sent an official letter to the Head of CIGE, Judge Ayman Mustafa requesting relevant data and GIS mapping systems in relation to Da'esh attack on Sinjar on and around 3 August 2014.
- On 25<sup>th</sup> April 2021, UNITAD sent an official request letter to the Head of KRG Counter Terrorism Directorate (CT), requesting any case files in the possession of CT concerning Nasrin Asad Ibrahim Bahr known as Umm Sayyaf and Sami Jasem Muhammed Ja'ta Al-Juburi known as Hajji Hamid.
- On 27<sup>th</sup> April 2021, UNITAD addressed an official request letter to the Head of Asayish Directorate, requesting permission to interview seven identified ISIL members that are in the custody of KRG competent authorities.
- On May 19<sup>th</sup> 2021, OCIA transmitted a two-page document of information provided by CT to UNITAD as a response to the latter's request for information and case files on two specified ISIL members.
- Following UNITAD and Asayish meeting on 26 May and following their bilateral agreements. On 16<sup>th</sup> June, UNITAD sent an official letter requesting the case files of the seven identified ISIL members that they intend to interview. OCIA transmitted the request letter to Asayish accordingly.
- On 14<sup>th</sup> June 2021, the National Coordination Committee (NCC) shared with OCIA the CVs of the three candidates of Germany, Canada and Sweden who were nominated to become the new Head of UNITAD.
- On 15<sup>th</sup> June 2021, UNITAD addressed a letter to the KRG Ministry of Health requesting authorization to establish a partnership with Hawler Psychiatric Hospital, and the Girls and Women's Treatment and Support Centre in Duhok as part of UNITAD's commitment to ongoing care of witnesses of Da'esh crimes and capacity building of treatment providers.
- On 16<sup>th</sup> June 2021, 25 new witness statements were submitted to UNITAD which were collected by the CIGE.

- On 28<sup>th</sup> June 2021, the KRG Representative to UNITAD forwarded a letter to UNITAD regarding the Supreme Court’s advisory opinion; the letter reflected precursory Observations and commentaries prepared by OCIA in this respect.
- Per the discussions and the agreements that took place between UNITAD and Korek Telecommunications Company on 28 June 2021, OCIA transmitted an official letter from UNITAD addressed directly to a Prioritized Request for Information (RFI) to Korek in Relation to Kojo cell tower.
- On 5<sup>th</sup> July 2021, the official response from the Ministry of Health (MoH) was transmitted to UNITAD where MoH had welcomed UNITAD’s initiative and request regarding the provision of support to KRG institutions to engage with psychologists of the witness protection and support unit from UNITAD.
- On 27<sup>th</sup> July 2021, the Permanent Mission of the Republic of Iraq to the United Nations conveyed the decision of the Government of Iraq to identify Mr. Christian Ritscher of Germany as the new Special Advisor and Head of UNITAD. The KRG Representative to UNITAD informed and updated the rest of the members of the High Ministerial Committee on GOI’s decision accordingly
- on 27<sup>th</sup> July 2021, the KRG Representative to UNITAD published a clarification on the Federal Supreme Court’s Advisory Opinion stating “A similar case has never been seen before where the Federal Supreme Court issues a decision on a proposal legislation that is still a preliminary draft and that has not yet been passed by the parliament...etc. prior to referring the bill to the parliament, the Shura Council, the Regional Judicial Council, and the relevant ministries in the government read the details of the legislation, the draft was also read and reviewed by dozens of civil society organizations and legal academics who are familiar with the articles of Iraqi constitution and the constitutional rights of the region contained therein. The legislation has not been issued and changes have been made to it in line with the laws in force and the constitutional rights of the region contained therein. The legislation has not been issued yet and changes have been made to it in line with the laws in force and the constitutional rights of the region the international obligations that fall on the region and the federal government. KRG is aware that the Iraqi constitution prohibits the establishment of special courts in Iraq, and the draft submitted to the parliament took that matter into consideration and called for the establishment of a specialized court, not a special court.
- On 8<sup>th</sup> August 2021, OCIA sent out official letters to four project partners (Asayish, Peshmerga –Intelligence Directorate, Public Prosecutor’s Office and Zeravani) requesting permission for the conduct of a joint KRG MOI/UNITAD site visit to assess the records in their possession to plan further for the project.
- On 8<sup>th</sup> August 2021, a letter was transmitted from UNITAD to CIGE. The Investigative Team has now started expanding the number of cell sites from which they are requesting CDRs.
- On 12<sup>th</sup> August 2021, the office of the Special Advisor contacted the KRG Representative to UNITAD, requesting KRG’s permission and approval to share some specific information with third states.
- On 18<sup>th</sup> August 2021, a prioritized request for information (RFI) was transmitted to CIGE. The letter pertained the request for a specific witness statement. It was later noted in CIGE’s official response that CIGE has not been able to contact the witness, therefore CIGE is unable to share the witness’s statement without his/her informed consent.

- On 22<sup>nd</sup> August 2021, KRG Department of Foreign Relations formally requested from Asayish in Erbil International Airport to provide vehicle badges and approval in order to facilitate the access of UNITAD's VIP vehicles to VIP venue and regular passenger venue to receive the Special Advisor and his VIP delegate as UNITAD now has two offices in KR. Per UNITAD's request, OCIA engaged with Asayish on this matter with the aim to speed up the process.
- On 24<sup>th</sup> August 2021, OCIA transmitted a letter from UNITAD to the Ministry of Martyrs and Anfal Affairs where the Investigative Team had requested all information, case files and excavation reports available in relation to the excavation carried out by the Medical Legal Unit of the Ministry of Martyrs and Anfal affairs of the mass graves in between Berdia, Sinuni, and Khanasor, in which 67 remains were excavated and buried in Sherif Al Din temple. This request was a follow up on a meeting that had taken place between UNITAD and the Deputy Minister on 12th august 2021.
- On 26<sup>th</sup> August 2021, the Ministry of Interior sent out an official letter to all the project partners requesting the transfer of all records in relation to Da'esh crimes to the MOI.
- On 1<sup>st</sup> September 2021, UNITAD deployed 3 scanners, 3 computers and a UPS at the MOI in the framework of the Kurdistan Region Archiving and Digitization Project.
- On 6<sup>th</sup> September 2021, the digitization room was set up at CIGE in addition to installing two heavy duty scanners and two laptops. MOI has decided to install a server at CIGE in order to store digitized records. It was further agreed that UNITAD will recruit 6 CIGE staff half time toundertake the digitization. Content analysis of a random CIGE case file was also conducted.
- UNITAD has requested a meeting with KRG's Threat Financing Unit (TFU) to seek assistance in understanding specific financial transactions by entities and persons who provided material support to ISIL and were/are based in the Kurdistan Region of Iraq (KR-I). On 15 September 2021, OCIA addressed a letter to the General Director of Counter-Terrorism requesting assistance and facilitations in order to connect UNITAD with TFU.
- On 17<sup>th</sup> September 2021, the United Nations Security Council unanimously renewed UNITAD's mandate upon the request of the Iraqi Government.
- On 22<sup>nd</sup> of September 2021, in a request from UNITAD it was indicated that the Investigative Team has identified five witness statements received from the Yezidi Rescue Office that are responsive to a request UNITAD has received from the Swedish Prosecution Authority (SPA) pursuant to UNITAD's mandate. The SPA is seeking this information in support of their investigation into the role of Swedish foreign terrorist fighters in crimes committed by ISIL against the Yezidi community. The KRG Representative to UNITAD ensured that this request was shared with the High Ministerial Committee on the same day due to the urgency of the request.
- On 27<sup>th</sup> September 2021, OCIA forwarded a list of additional equipment requested by MOI to UNITAD in relation to the record management system. This request for additional equipment came following and based on the agreements that were made between KRG and UNITAD in the third steering committee meeting which took place on 2 September 2021.
- On 2<sup>nd</sup> October 2021, the Office of the Special Advisor informed KRG's Representative to UNITAD, Dr. Dindar Zebari, that in addition to Sweden, each of the authorities of the Netherlands and France have requested to receive the same five witness statements that the authorities of Sweden had previously requested. (These five witness statements were taken by the Yezidi Rescue Office and were submitted to UNITAD through OCIA in mid-2020). KRG Representative to UNITAD informed the Head of the High Ministerial Committee accordingly.

- In early October, OCIA forwarded to the Ministry of Interior the following UNITAD guidelines to be shared with the rest of the digitization project partners:
  - A. Guidelines on the identification of records
  - B. Guidelines on movement and transfer of records
  - C. Guidelines on preparation, organization and storage of records
- On 11<sup>th</sup> October 2021, OCIA re-forwarded the CVs and P11 forms of the four KRG candidates to work as national judicial investigators in UNITAD to the Chief of Staff of the Investigative Team.
- On 19<sup>th</sup> October 2021, and based on previous agreements made between UNITAD and Korek, the latter provided a list of all its cell sites (1710) within a 30 km radius of the 39 geographic areas that were previously identified by the UN Investigative Team. Furthermore, Korek also submitted a USB flash drive that contained all the call data records from cell and Solagh institute in Sinjar from 1 August 2014 to 20 August 2014.
- On 19<sup>th</sup> October 2021, OCIA transmitted to UNITAD, the official response and report of the Ministry of Martyrs and Anfal Affairs (MoMAA) in relation to the excavation carried out by the Medical Legal Unit of MoMAA of the mass graves in between Berdia, Sinuni, and Khanasor.
- On 20<sup>th</sup> October 2021, OCIA shared the CVs of six applicants (nominated by MOI) to work on the digitization activities at CIGE for the purpose of speeding up the digitization process. On 1 November, the Investigative Team stopped the recruitment process and indicated that considering the significant progress at CIGE, the work would finish before they can complete the human resources process.
- On 24<sup>th</sup> October 2021, OCIA received a request from UNITAD where the Investigative Team had requested the support of KRG Counter-Terrorism and Asayish to secure more information on a specific person of interest. OCIA directed official letters to both Asayish and CT Directorate with respect to UNITAD's request. The official responses of CT given on 22 November and Asayish given on 6 December were shared with UNITAD accordingly.
- On 26<sup>th</sup> October 2021, the KRG Representative to UNITAD conveyed the official response of the Regional Government and its approval on UNITAD's request to share five specific witness statements with the authorities of Sweden, France and the Netherlands. On 1st November, UNITAD indicated that in addition to these three states, each of Canada and the US have also requested the same five witness statements.
- On 27<sup>th</sup> October 2021, UNITAD requested KRG's security clearance for a candidate to be recruited by the investigative Team. Duhok Asayish confirmed that the candidate has been cleared security wise.
- Digitization activities at CIGE were officially completed on 7th November 2021 where 73912 pages were digitized (a total of 2506 cases).
- Regarding UNITAD's request for KRG's authorization to include 21 statements (previously obtained by the UN Investigative Team from CIGE and Yezidi Rescue Office via OCIA) in UNITAD's structural brief to be shared with states – OCIA requested UNITAD to identify and indicate which countries it intends to share the structural brief with. UNITAD listed the following countries: Sweden, Finland, France, Netherlands, Germany, Belgium, UK, US, Canada.

- On 22<sup>nd</sup> November 2021, OCIA informed UNITAD on the importance of ensuring KRG's participation within the Iraqi delegation in discussions and events taking place at the UN headquarters in relation to ISIL crimes as UNITAD along with the Iraqi and German permanent missions hosted a special event on '*Financing ISIL Crimes*' in New York on 2 December 2021.
- On 23<sup>rd</sup> November 2021, UNITAD reached out to OCIA requesting the assistance of KRG in finding a suitable and secure building to be used as offices by UNITAD staff in Erbil (the capacity of the staff will be between 50-60 staff members). OCIA shared the request with the Head of the High Ministerial Committee accordingly.
- On 7<sup>th</sup> December 2021, the Investigative Team shared with OCIA a concept notes between UNITAD and CIGE to jointly work on a project; UNITAD indicated that the purpose of the project is to work with CIGE on improving CIGE's analytical products and perpetrator case files with a view to prepare ISIL case files for court. This project will involve the analysis of the CDR data provided by Korek to UNITAD and CIGE.
- On 27<sup>th</sup> January 2022, UNITAD requested the onward transmission of eight Yezidi Rescue Office statements to be shared with five countries. Furthermore, UNITAD also requested approval on the onward transmission of five other witness statements received from the Yezidi Rescue Office to be shared with the German Federal Prosecutor's Office and the Federal Office of Criminal Investigation.
- On 14<sup>th</sup> February 2022, OCIA forwarded a formal letter from UNITAD addressed to CIGE requesting CIGE's support in relation to the submission of Korek CDRs from cell site towers within 25 km of Kojo and Solagh institute from 13 to 20 August 2014 as well as CDRs from cell site towers within 25km of 10 areas from 1-20 August 2014. A meeting between Korek and UNITAD with respect to this request is scheduled to take place in April.
- On 10<sup>th</sup> March 2022, KRG Representative to UNITAD made a formal request to both UNITAD and the NCC on the importance of including KRG representation in the Berlin outreach event; supporting Iraq's role in promoting accountability for ISIL international crimes which is scheduled to take place 13 April 2022. It was accordingly agreed that the KRG Coordinator for International Advocacy will participate in the event along with the Chairman of the NCC.
- On 25<sup>th</sup> April 2022, Michael Pauloski informed OCIA about some key operational items to follow-up and recent exchanges between UNITAD and KRG through an email. His email referred to cooperation with Korek, onward transmission of witness statements, request for case files from KR authorities/detainee interviews, MOMAA and CIGE cooperation. In his reply, Dr. Zebari notified Michael that Korek has commenced to work on CDRs that has been requested by UNITAD from cell sites within 25 km radius in Kojo. With regards to sharing witness statements with the third country, an approval has been obtained from the relevant KRG counterparts. Pertinent to detainee interviews within UNITAD premises, OCIA confirmed Anti-Terrorism directorate approval on the request. Moreover, OCIA would facilitate the cooperation between UNITAD and MOMAA for the excavation and exhumation of the mass graves.
- On May 11<sup>th</sup>, 2022, OCIA received an email from UNITAD's chief of staff Gerald Casey requesting to change the policy of submitting the witnesses' names to the hotel managers where the interviews are conducted in their premises. UNITAD's concerns were to keep confidentiality. Furthermore, chief of staff Gerald Casey also requested OCIA to facilitate an interview with a selected ISIL detainee in the KRI premises. Moreover, Mr. Gerald requested if OCIA could assist to arrange a meeting between the Head of WPSU and the KRG focal point for witness protection in the MOI to discuss issues of mutual interest. In his reply to Mr. Gerald's email, Dr. Zebari emphasized that his request has been delivered to Asayish Directorate and the meeting will be set on June 7<sup>th</sup>, 2022.

Similarly, for detainee interviews, he assured them that CT has been contacted about the aforementioned meeting and it will take place on the 7<sup>th</sup> of June 2022.

- On June 7<sup>th</sup> 2022, OCIA arranged a meeting between Ismat Argushi, the Director of General Asayish and a team from UNITAD headed by Mr. Simo Vaatainen, UNITAD's Head of Witness Protection and Support Unit. The main themes of the meeting revolved around the Hotel managers claims that Asayish is requiring them to report the names of persons that UNITAD interview at hotels as a precondition for them to allow the use of their facilities and identification of a facility outside detention units where UNITAD could interview detainees. Agreeing to that location is subject to SSS and WPSU assessment, discussions with the FP issues of mutual interest (their views on Da'esh threats to witnesses in KRG), and also technical assistance to set up WPD.
- On 29<sup>th</sup> June 2022, a USB flash drive submitted to UNITAD which contained Call Data Records (CDRs) from Korek cell site towers in Kojo village and its surroundings and Solagh institute in Sinjar, from August 1, 2014 to August 20, 2014.
- On 4<sup>th</sup> July 2022, OCIA forwarded an official letter from UNITAD addressed to the Minister of Labour and Social Affairs, Ms. Kwestan Abdullah, requesting to share the judicial and/or investigative casefiles in relation to a list of individuals the investigative team requested to identify whom they believed they were in custody in Erbil or Duhok. The requested casefiles were transmitted by MoLSA on August 14 to the investigative team accordingly.
- On 13<sup>th</sup> July 2022, the investigative team shared KRG-UNITAD monthly update report with OCIA covering April-June 2022 from Erbil and Duhok offices. The report highlights the following activities during the aforementioned date: Psychosocial support to the survivor community, capacity building for mental health practitioners in health centers, hospitals+civil society organizations, conducting interviews of witnesses and victims of ISIL crimes against the Yazidi community, victims of Badush prison, women and girls from the Yazidi and Shia Turkmen community, undertaking a number of field missions to collect evidence and engage with the affected community, and researching and drafting of initial case assessment on ISIL chemical and biological weapons development/use in Iraq. UNITAD recruited a new team leader for FIU-5 in May to progress the investigation of Daesh crimes committed against the Christian community. UNITAD provides support to conduct excavations and resume Kurdistan Region Archiving/Digitization Project (KRADP), through which the digitization of all records from the Rescue of Yazidi Office on 27<sup>th</sup> April 2022 has been completed.
- On 7<sup>th</sup> August 2022, OCIA updated UNITAD through an email about the progress of the digitization/archiving project at MoI. Archiving documents which are possessed by CIGE was concluded on Dec 10, 2021, in which 9,801 files from 73,912 pages have been archived with the cooperation of UNITAD'S office in Duhok. As for the Office of the Rescued Abducted Yazidis the project was concluded on April 3, 2022, in which 3,543 files from 5,393 pages have been archived. From Zerevani, 384 MB (124 photos) and 28,3 GB (105 video) have been archived. In his reply, Mr. Gerald Casey, mentioned some issues pertinent to the delay of the commencement of Asayish and CT archives. The first relates to the evidence within these collections themselves. Whereas the project team had access to the original documents when working with CIGE and Yazidi Rescue Office, the Asayish and Zerevani have provided copy of the documents/data in a digital format without following the guidance and processes provided to the beneficiaries by the MoI a year ago. The second issue relates to the status of the project at UNITAD. Although, the European Union had initially agreed to fund the project for a period of two years from April 2020 to 31st March 2022, UNITAD secured a second tranche of funding from the EU to ensure continuity of the project for an extra eighteen months.

- UNITAD’s chief of staff, Gerald Casey, reached out to OCIA requesting help with identifying two focal points from Zerevani and CT to assist UNITAD for the digitization/archiving project. OCIA contacted both accordingly and a list of focal points’ names were submitted to MoI.
- On 2<sup>nd</sup> September, 2022, the Special Advisor and Head of UNITAD, Mr. Christian Ritscher, was interviewed by the IRAQI NEWS AGENCY. The SA highlighted 20 important files the investigative has been working on so far, namely:
  1. Crimes committed against the Yazidi community in Sinjar beginning in August 2014
  2. The mass killing of unarmed cadets of the Tikrit Air Academy in June 2014
  3. Crimes committed by ISIL/Da’esh in and around the Badush prison near Mosul in June 2014
  4. Crimes related to the facilitation of ISIL financing; known as Al-Rawi network.
  5. Evidence investigation
  6. Challenges facing UNITAD
  7. Mass graves investigation strategy
  8. The File of crimes committed against the Yazidis
  9. The file of Yazidi women survivors of ISIL crimes
  10. The crime of mass killings that ISIL committed against Tikrit Air Academy personnel
  11. The file of the international crimes
  12. The team’s work in Iraq
  13. The role of the Iraqi government in assisting the investigative team
  14. UNITAD’s support for the Iraqi judiciary
  15. Partnership and daily cooperation between UNITAD and Iraqi authorities
  16. Supporting the efforts of the Iraqi authorities specialized in investigations
  17. The perpetrators of crimes against Iraqis
  18. The asylum applications of the women fleeing from Iraq to foreign countries
  19. The arrest of Taha al-J
  20. Iraq reconstruction operation
- On 11<sup>th</sup> September 2022, the Investigative Team forwarded a letter to the Coordinator Office to share it with CIGE, through which approval was requested to use the statement of Madeeha Ibrahim Khalaf AlHamad, a female Yazidi survivor, as a part of UNITAD’s investigations.
- On 15<sup>th</sup> September 2022, UNITAD sent an official letter to Judge Ayman Mustafa, requesting the statements of all Christian witnesses that CIGE have interviewed and the evidence CIGE collected on the destruction of churches in the Nineveh plain.
- On 15<sup>th</sup> September 2022, the United Nations Security Council unanimously renewed UNITAD’s mandate through resolution (2651) upon the request of the Iraqi Government.
- On 20<sup>th</sup> September 2022, UNITAD sent an official letter addressed to Judge Abduljabar to nominate 5 judges to participate in a capacity-building training program designed for Iraqi judges, including in the Kurdistan Region, at the International Nuremberg Principles Academy in Germany. The training was scheduled to commence on November 21-25, 2022 for five days.

- On 21<sup>st</sup> September 2022, UNITAD sent an official letter to Judge Abduljabar requesting the statements of all Christian witnesses that they have interviewed and the evidence they collected on the destruction of churches in the Nineveh plain.
- On 21<sup>st</sup> September 2022, the European Union (EU) extended its long-term commitment to justice and accountability with a renewed support to UNITAD. With this extension, the EU committed an additional €3.8 million to the digitization and archiving of evidentiary materials of ISIL crimes held by Iraqi authorities and KRI.
- On 22<sup>nd</sup> September 2022, Germany renewed its support and contributions to the work of UNITAD, with a new funding cycle of €1,700,000. Through this support, UNITAD will be empowered to continue its investigations into the financial mechanisms of ISIL and uncover additional evidence about perpetrators who profited from their involvement in the war crimes, crimes against humanity, and genocide committed by ISIL members in Iraq.
- On 26<sup>th</sup> September 2022, UNITAD forwarded two letters to Judge Abduljabar, the Head of KR Judicial Council and Judge Kawa Fathi, the Head of KR Public prosecution Office, in which it was requested to identify 10-15 judges and prosecutors from the KRI to participate in a workshop on capacity-building on Developing International Criminal Cases for the Prosecution of ISIL Suspects. The workshop was aimed to be held in Erbil and be divided into two parts: one in October and one in November 2022.
- On 28<sup>th</sup> September 2022, based on UNITAD's request letter addressed to KR Judicial Council to nominate 5 judges in the KR to participate in a 'Capacity Building Training Program in Nuremberg Academy in Germany'. In this respect, a list of the nominated judges (names, positions and contact details) forwarded from the Judicial Council to participate in the training program, including the followings:
  1. Judge Samih Othman Younis, Member of the Regional Appeal court
  2. Judge Khidir Hassan Mohammed, Member of the KR Appeal court
  3. Judge Younis Othman Mohammed, Judge of the Erbil Court of Investigation
  4. Judge Jabar Radha Ahmed, Judge of the Sulaymaniyah Court of Investigation
  5. Judge Nigar Ahmed Mohammed, Member of Erbil Court of Appeal
- On 6<sup>th</sup> October, 2022, Mr. Christian Ritscher, (the special advisor and head of UNITAD) delivered a speech at the Annual Conference of the Regional Plan for Human Rights. In his speech the special advisor praised the extensive and collective work of stakeholders, including UNAMI's Human Rights Office. Mr. Christian Ritscher also thanked Iraqi authorities and Kurdistan Regional Government for their continued support and facilitation of UNITAD's work, stressing that guarantees of fair trials and due processes in human rights are very significant to UNITAD's efforts in promoting accountability.
- On 10<sup>th</sup> October, 2022, the Special Advisor and Head of UNITAD, Mr. Christian Ritscher, was interviewed by Rudaw Media Network. The SA highlighted a wide range of investigations and engagements undertaking both in Iraq and in KR, including evidence possession, mass graves exhumation, crimes committed against the Yazidis, and the crime of mass killings that ISIL committed against Tikrit Air Academy personnel.



- On 17<sup>th</sup> October 2022, a USB flash drive from Korek Telecommunication Company, containing the CDRs in the possession of Korek cell site towers at within 30 km of Qaraqosh, Bartella and Karamlesh for the period 1 to 15 August 2014 was collected by UNITAD.
- On 27<sup>th</sup> October, 2022, UNITAD requested the approval on the onward transmission of identified statements by two witnesses received from the Yezidi Rescue Office that are responsive to a request they have received from the United Kingdom SO15 War Crimes Team. The KRG Representative to UNITAD conveyed the request with the Yezidi Rescue Office to make the approval to share the two specific witness statements with the aforementioned party.
- On 1<sup>st</sup> December 2022, the Investigative Team submitted the 9<sup>th</sup> Periodic Report of the Special Advisor and Head of UNITAD Prior the Submission of the Report to the UNSC. The report covered the team's most significant areas of investigations during the reporting period, such as addressing crimes committed against the Yazidi community in Sinjar from August 2014; the mass killing of military cadets and personnel from Tikrit Air Academy in June 2014; crimes committed by ISIL in and around Badush prison near Mosul in June 2014; the al-Rawi network and the facilitation of ISIL financing; and the development and use of chemical and biological weapons by ISIL in Iraq.
- On 4<sup>th</sup> December 2022, UNITAD forwarded a letter to Mr. Rebar Ahmed, the KRG Minister of Interior, requesting for the approval for the redeployment of the Digitization/Archiving Project to perform the digitization of the case files directly at Criminal Court 2 in Erbil. This came after holding two separate meetings with Judge Kawa Fathi, the Head of the KR Public Prosecution Office and Judge Khalat, President of the Appellate Court, and the Head of the Criminal Court 2 in Erbil. This served to confirm their need for support to preserve, digitize and store their court files according to international standards and parallel to the independency of the judicial authority.
- On 4<sup>th</sup> December 2022, UNITAD forwarded a letter to Ismat Argushi, the Director of General Asayish, requested to nominate two investigators from Asayish with criminal law experience to attend the upcoming Case Building and Capacity Development workshop.
- On 5<sup>th</sup> December 2022, OCIA submitted two CDRs from Korek cell site towers in Kojo village and its surroundings, within 30 km of Qaraqosh, Bartella, and Karamlesh for the period 1/8/2014-15/8/2014, in addition to the CDRs from Korek cell site towers in Kojo village and its surroundings and Solagh institute in Shingal from the period of 1/8/2014-20/8/2014.
- On 5<sup>th</sup> December 2022, Mr. Christian Ritscher the Special Advisor and Head of UNITAD submitted the Ninth report on the activities of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh (UNITAD) to the Security Council. The report covered the team's most significant areas of investigations during the reporting period, such as addressing crimes committed against the Yazidi community in Sinjar from August 2014; the mass killing of military cadets and personnel from Tikrit Air Academy in June 2014; crimes committed by ISIL in and around Badush prison near Mosul in June 2014; the al-Rawi network and the facilitation of ISIL financing; and the development and use of chemical and biological weapons by ISIL in Iraq.
- On 6<sup>th</sup> December 2022, the Investigative Team forwarded a letter to Judge Ayman Mustafa, requesting sharing the statement of Ms. Rafida Naif, a victim of ISIL atrocities, for ongoing disclosure to France as part of one of its investigations into crimes committed by Da'esh/ISIL against the Yazidi community.
- On 11<sup>th</sup> December 2022, the KRG Representative to UNITAD conveyed the official response of the Regional Government and its approval on UNITAD's request to share two specific witness statements with the UK SO15 War Crimes Team.

- On 21<sup>st</sup> December 2022, Dr. Zebari Conveyed the response and approval of CIGE on UNITAD’s request to share the witness statement of Ms. Madeeha Ibrahim Khalaf Alhamad, to be used as a part of their investigation into the crimes ISIL committed against the Yazidis.
- On 19<sup>th</sup> January 2023, the Germany’s parliament on voted to recognize the 2014 crimes against the Yazidis in their hometown of Shingal by the Islamic State (ISIL) as “genocide.”
- On 24<sup>th</sup> January 2023, the Investigative Team forwarded a letter to Mr. Ahmed Imad Barzani the Head of Office of Kurdistan Region president-military department, requesting his support in facilitating the organization a meeting with General Askandar Haji Salih, in order to engage and support UNITAD’s ongoing investigations into crimes committed by ISIL against the Christian community in Iraq.
- On 7<sup>th</sup> February 2023, the Investigative Team forwarded a letter to Judge Abduljabar Aziz Hassan, requesting sharing any information on Deniz Bischof, a German national currently detained in Germany and speculated to have been involved in illicit crimes committed by Da’esh in Iraq. This information is meant for ongoing disclosure to Germany–Federal Prosecutor General as part of one of its investigations into crimes committed by Da’esh/ISIL.
- On 1<sup>st</sup> March 2023, Office of the Coordinator for International Advocacy Conveyed the response and approval of CIGE on UNITAD’s request to share the witness statement of Na’am Hassan Bibo Haydar, to be used as a part of their investigation into the crimes ISIL committed against the Yazidis.
- On 6<sup>th</sup> March 2023, Office of the Coordinator for International Advocacy Conveyed the response and approval of CIGE on UNITAD’s request to share the witness statement of Ms. Rafida Naef Essa, to be used as a part of their investigation into the crimes ISIL committed against the Yazidis.
- On March 6<sup>th</sup> 2023, to participate in the third and final part of the case building and Capacity development initiative to build Cases to prosecute ISIL suspects. The General Director of Asayish appointed two lieutenants to coordinate with the judges to investigate cases of two identified ISIL suspects. Including the followings:
  1. Lieutenant 2/ Su’ad Qasim Hassan
  2. Lieutenant 2/ Barzan Baran Jawdat

## **B. Round-table and Bilateral Meetings Organized by OCIA between the KRG Counterparts and UNITAD**

- On 29th July 2020, a meeting took place at the Ministry of Interior, chaired by the KRG Representative to UNITAD. The participants included representatives from UNITAD along with representatives from each of the following entities and ministries: Asayish, Ministry Of Interior (MOI), Ministry of Endowment and Religious Affairs, Ministry of Peshmerga, Ministry of Justice, Ministry of Martyrs and Anfal Affairs, Ministry of Labour and Social Affairs, Rescue office of Abducted Yazidis, Zeravani, High Council of Women Affairs, Counter-Terrorism Directorate and the KRG Office of Coordinator for International Advocacy (OCIA). The main themes of the meeting revolved around the archiving and the digitization project.
- An initial meeting was arranged between UNITAD and Asayish's Director General, Asmat Arqoushi in August 2020 to highlight future cooperation between the Investigative Team and Asayish.
- The second week of August included meetings between UNITAD and the Deputy Minister of Peshmerga for the purpose of discussing the possibility of interviewing Military Commanders, who were operational in and around Sinjar during Da'esh occupation.
- On the same week, another meeting took place between UNITAD and the Deputy Minister of Martyrs and Anfal Affairs.
- The third week of August 2020 included meetings with General Bahjat Selki from Zeravani and a meeting with the Vice President of the Kurdistan Region Sheikh Jaafar Sheikh Mustafa.
- Another meeting was scheduled for UNITAD on 19 August 2020 with the Commander-in-Chief of Makhmur and Gwer frontline, Sirwan Barzani.
- On 7th August 2020, copies of the statements from survivors of Da'esh, collected by the Commission for Investigation and Gathering Evidence were submitted to UNITAD. □UNITAD's prioritized Request for Information (RFI) was forwarded to the Counter-Terrorism Directorate, Ministry of Peshmerga, Asayish, Ministry of Martyrs and Anfal Affairs, Ministry of Endowment and Religious Affairs and Ministry of Interior (MOI).
- On 24th August 2020, the KRG Office of the Coordinator for International Advocacy (OCIA) gathered the surveys completed by all the relevant departments/ministries and forwarded them to UNITAD. The completion of the surveys was considered the first phase of the archiving and the digitization project. This paved the way to initiate the second phase of the project.
- On 27th August 2020, response to the prioritized RFI from the Counter-Terrorism Directorate (CT) and Asayish Directorate was submitted to UNITAD. Thus, KRG was successful in submitting the prioritized requested information prior to the deadline (31 August 2020) which was set by UNITAD.
- On 1<sup>st</sup> September 2020, OCIA held a meeting with the Minister of Endowment and Religious Affairs in the presence of a number of parliament members and the Head of the High Council of Women Affairs. The ongoing progress with UNITAD and the future mechanisms were discussed in the meeting. This included information sharing between General Directorates of Yazidis, Christians, Zoroastrians, Kakai, Bahai, Sabai and Mendai's representatives with the UN Investigative Team.
- UNITAD's Chief of Staff, Gerald Casey met with Asayish in mid-September 2020.

- On 12<sup>th</sup> October 2020, a roundtable meeting was arranged between UNITAD’s technical focal point for the archiving/digitization project with KRG technical focal points, the objective of this meeting was for UNITAD's team to explain the next steps, which was on-site verification of the questionnaire through site visits.
- Based on the above scheduled meeting, the first wave of site visits to archives of the beneficiaries was organized for UNITAD to view the archives and do the on-site verification of the questionnaire.
- On 12<sup>th</sup> October 2020, a meeting was arranged for UNITAD’s delegation headed by the Special Assistant to the Special Advisor to meet with Head of the Kurdistan Region Judicial Council, Judge Bangin Qassim.
- On the same day, another meeting was organized for UNITAD’s delegation with the Head of Counter-Terrorism Directorate, General Dilshad.
- On 13<sup>th</sup> October 2020, a round-table meeting for UNITAD's Senior Legal Officer, Christopher Gosnell was organized to meet with the relevant persons and legal experts within the KRG regarding the IHT amendment and the advisory role of UNITAD.
- On 25<sup>th</sup> October 2020, OCIA received official request for site visits from UNITAD. In early November 2020, the following meetings and site visits took place accordingly:
  - A. UNITAD’s meeting with Asayish Focal Point
  - B. UNITAD’s meeting with CT focal points
  - C. UNITAD’s site visit to the CIGE
  - D. UNITAD’s site visit to the Yezidi Rescue Office
  - E. UNITAD’s site visit to the Public Prosecutor’s Office
- On 27<sup>th</sup> October 2020, UNITAD’s Head of the Financial Tracking Unit met with focal points from the Counter-Terrorism Directorate. In the same meeting the CT focal points submitted 7-page document related to ISIL financial sources to the Investigative Team. UNITAD and CT agreed on three lines of activities.
- On 1<sup>st</sup> November 2020, the KRG Anti-Terrorism Law and the drafted amendments to this specific law were shared with UNITAD’s Senior Legal Officer (SLO). A Video Tele-Conferencing (VTC) meeting took place between the KRG Coordinator of International Advocacy and the SLO to draw the route map concerning the legislative aspect for KRG to follow with regard to the prosecution of ISIL members.
- With the start of the New Year, UNITAD resumed its missions to Erbil. On 17 January 2021, the first delegation arrived which was composed of UNITAD’s Senior Legal Officer, the Special Assistant to the Special Advisor, and the Head of the Digitization Project and the Head of investigations into ISIL crimes committed against the minorities. The delegation held a meeting with the KRG Representative to UNITAD, where discussions included UNITAD’s request for Call Data Records (CDRs) in relation to the Kojo Cell Tower, the digitization project, the KRG draft legislation, UNITAD’s technical support, and UNITAD’s digital platform ‘Shuhud’.
- On 17<sup>th</sup> January 2021, a meeting took place between UNITAD’s delegation and Counter-Terrorism Directorate to finalize CT’s participation in the digitization/ archiving project. It was agreed that CT will provide documents in relation to topics identified by the Investigative Team in order to be

digitized rather than full digitization of all the records in their possession.

- On 19<sup>th</sup> of January 2021, two separate meetings were arranged for UNITAD's Head of Investigations into Crimes Committed against the Minorities with each of the region's minister for Minority Affairs and the Ministry of Endowment and Religious Affairs. Both counterparts agreed on several lines of enquires to enhance UNITAD's investigations concerning ISIL crimes committed against the minorities.
- On 20<sup>th</sup> January 2021, a meeting took place between the Ministry of Higher Education (MoHE) and UNITAD delegation. The Genocide Centre at MoHE holds extensive numberof documents in relation to ISIL crimes. Discussions included agreements on linking UNITAD's forensic and the digitization team with MoHE Genocide Centre.
- On the same day, a meeting was arranged for UNITAD's delegation with the Ministry of Interior (MOI) where MOI and UNITAD reiterated the importance of speeding up the digitization project. The digitization project manager also conducted an assessment of the allocated space at the MOI for the purpose of centralizing the KRG ISIL archives.
- On 25<sup>th</sup> January 2021, a meeting was arranged between the Region's Minister for Parliament Affairs with UNITAD's Senior Legal Officer to discuss KRG's draft legislation.
- On 15<sup>th</sup> February 2021, the KRG representative to UNITAD received UNITAD's Head of Witness Protection Unit and UNITAD's Chief of Security engaged in discussions in relation to the necessary steps for detainee interviews.
- On 17<sup>th</sup> February 2021, OCIA arranged a meeting between UNITAD's Digitization Team and the relevant focal points where initial training and capacity building session took place. The participants included the following project participants (Asayish, Counter-Terrorism Directorate, Public Prosecutor's Office, CIGE, Ministry of Martyrs and Anfal Affairs, Ministry of Interior, Peshmerga, Yezidi Rescue Office and Zeravani.
- After these efforts, approval was given for the participation of KRG officials in the burial ceremony in Kojo. Following authorization from His Excellency KRG Prime Minister, the Region's delegation headed by the KRG representative to UNITAD participated and delivered KRG's speech in the Yezidi burial ceremony on 6 February2021.
- Regarding UNITAD's request for conducting detainee interviews in UNITAD premises, separate meetings were ar ranged for UNITAD's delegation with the competent authorities (Counter-Terrorism and Asayish) on 16<sup>th</sup> February 2021.
- Following the approval of KRG's Council of Ministers on the draft legislation on 28 April 2021 to establish a criminal court in the Kurdistan Region to hold ISIL accountable for committing international crimes (war crimes, crimes against humanity and genocide), the bill was submittedto the parliament where the first reading took place in early May. Given the importance of this law and taking into account the political, security and international scope, the Kurdistan Region Parliament held four extensive meetings with concerned parties to ensure that the broadest rangeof observations and comments are taken into consideration. The following include a brief on each of the parliament meetings:

**First Meeting: 17 May 2021, attended by the Minister of State for Parliament Affairs, and the KRG Coordinator for International Advocacy and Representative to UNITAD where the Constitutional Limitations and Baghdad's Potential Discontentment Discussed**

- It is worth mentioning that this meeting was primarily occupied with discussions about the constitutional limitations and Baghdad's potential discontentment in this respect. In the first rounds of discussions, the majority of the members were against passing this legislation, expressing concerns about the political and the security ramifications. Nevertheless, at the conclusion of the meeting, they were convinced that the KRG shall seize this opportunity and pass its legislation.

**Second Meeting: 31 May 2021, A Meeting was held between Parliament's Legal Committee and UNITAD's Legal Experts, in which UNITAD Explained that they will not Partake in Providing Financial Support to the Court and that a Channel can be Opened for International Funds**

- In this meeting, UNITAD made it clear that they will not partake in providing financial support to the court. However, they said that channel can be opened for international funds similar to other countries' experiences. UNITAD demonstrated support for the legislation. They also reiterated that the UN Security Council welcomes the progress KRG has made.

**Third Meeting: 7 June 2021, Parliament met with the Judicial Council, where the Judicial Council Indicated that they were Facing Challenges Including the Insufficiency of Human and Financial Resources**

- This meeting was attended by the Heads of the Appellate courts of Erbil, Duhok and Sulaymaniyah; where both parties exchanged their views and observations on the legislation. The Judicial Council indicated to the parliament that they are facing multiple challenges including the insufficiency of human and financial resources.

**Fourth Meeting: 14 June 2021, MPs met with KR Scholars and Indicated that the Draft Law was almost Entirely Identical to the Iraqi Draft Law**

- This was the parliament's final meeting before referring the bill to the Legal Committee which is entitled to prepare a report in preparation for the second reading of the bill. It was indicated that the draft law was almost entirely identical to the Iraqi draft law. That has raised many problems, because the draft cannot be accommodated into KR's legal system unless it goes through major changes.
- On 18<sup>th</sup> May 2021, the KRG Representative to UNITAD received Albert Joseph, the Deputy Investigations Coordinator and Head of the Mosul Investigations of UNITAD. His primary engagement with the KRG would be on Mosul and specifically Badoush prison.
- In late May 2021, multiple roundtable meetings took place between MOI, OCIA, KRG legal experts and UNITAD to draft a legislation that enables MOI to establish 'Witness Protection Department'. To conclude, the final meeting took place on the 9<sup>th</sup> of June.
- On 26<sup>th</sup> May 2021, UNITAD held a second meeting with Asayish to discuss the route map to move forward with respect to detainee interviews. In this meeting, it was agreed that Asayish will dedicate a suitable location either within Asayish premises in Duhok or in a stand-alone house, which will be assessed by UNITAD.
- On 13<sup>th</sup> June 2021, the KRG Representative to UNITAD was interviewed by Le Monde newspaper for an article on UNITAD. During the interview, light was shed on KRG's cooperation with the Investigative Team and KRG's efforts to establish a criminal court to hold ISIL members accountable for committing three core international crimes.

- On 16<sup>th</sup> June 2021, the KRG Representative to UNITAD received representatives of Yazda organization and the Yezidi survivors' network. The purpose of the meeting primarily revolved around Yazda's request on incorporating the comments of the Yezidi community in the drafting process of the legislation.
- On 16<sup>th</sup> June 2021, OCIA arranged a meeting between Yazda organization and Yezidi survivors' network with the Legal Committee in the Parliament. In this meeting, it was agreed that Yazda will hold consultations with their network of NGOs that represent and advocate for the rights of the Yezidis and other minority groups. Yazda will compile all the comments into one document and submit it to the Parliament to be taken into consideration.
- On 17<sup>th</sup> of June 2021, OCIA arranged another meeting between the representatives of Yazda and Yezidi Survivors network with the region's minister for Parliament Affairs.
- On 23<sup>rd</sup> June 2021, KRG's Representative to UNITAD received the representative of UNITAD's Forensic Unit. Areas of potential cooperation was highlighted, UNITAD also clarified that they won't be able to donate any equipment in this field, however, they are capable of assisting the competent authorities to extract data and information from the digital devices that belong to ISIL fighters and that are currently in the possession of KRG authorities.
- On 27<sup>th</sup> June 2021, the KRG Representative to UNITAD received UNITAD's Head of Sinjar investigations as well as UNITAD's call data record (CDR) analyst. In the meeting, UNITAD's analyst provided a briefing on their findings and analysis of the Korek CDRs which was submitted to the Investigative Team in April 2021.
- On 28<sup>th</sup> June 2021, per UNITAD's request, OCIA arranged a meeting between UNITAD and representatives of Korek Telecommunications Company. In this meeting, both parties agreed that UNITAD would send another set of official requests to advance their investigations and Korek would provide assistance accordingly. UNITAD highlighted that the evidence from CDRs is a valuable tool to fix the presence and to an extent the activity of suspects at the crime site.
- In June 2021, UNITAD submitted a project initiation document (PID) on the digitization project in order to convene the project's steering committee's first meeting, the meeting took place on 30 June at MOI where the purpose of the meeting was to review the PID and agree on the necessary changes required in order to sign off an agreement. The members of the Steering Committee, include the followings:
  - A. Dr. Dindar Zebari (KRG executive and sponsor of the project)
  - B. Dr. Sami Jalal (MoI executive and implementing partner)
  - C. Michael Pauloski/ El Hadji Babacarw (UNITAD executive)
  - D. Hoger Bapir (MoI project manager)
  - E. Romain Ledauphin (UNITAD project manager)
- On 30<sup>th</sup> June 2021, KRG's Representative to UNITAD received UNITAD's Chief of Staff, where areas of cooperating and outstanding matters were highlighted.
- On 4<sup>th</sup> July 2021, OCIA arranged a meeting between UNITAD and the Minister of Labour and Social Affairs for the purpose of discussing the process of detainee interviews.
- On 26<sup>th</sup> July 2021, the KRG High Ministerial Committee held a meeting where the KRG Representative to UNITAD submitted the quarterly report on KRG and UNITAD work developments

and activities. In this meeting, the following were highlighted:

- A. The Advisory Opinion of the Federal Supreme Court is issued on the basis of political motives rather than legal basis
  - B. KRG has decided to continue its cooperation and support to UNITAD
  - C. Regarding KRG's draft law on the establishment of a criminal court in the KR to hold ISIL members accountable for committing international crimes (genocide, war crimes and crimes against humanity), members of the committee agreed that the KR parliament shall proceed with its work and consultations on the bill
  - D. The digitization project shall continue
  - E. KRG approves on UNITAD's request to interview detainees and stands ready in providing a convenient KR facility to assist UNITAD to conduct the interview
  - F. MoLSA shall be informed of the date of the interviews and shall receive a list of the names of the detainees that UNITAD intends to interview well in advance
  - G. KRG approves on UNITAD's request to share information with third states conditioned by UNITAD's disclosure on which countries it intends to share the information with
  - H. Requesting UNITAD to identify the approximate number of case files prepared by the Investigative Team and that will be shared with the Regional and the Federal authorities.
  - I. The Committee welcomed the Belgian Parliament's resolution to recognize and condemn the crime of genocide perpetrated by the Islamic State in Iraq and Syria against the Yezidis from 2014.
- On 28<sup>th</sup> July 2021, the second steering committee meeting took place in the Council of Ministers. In this meeting, UNITAD highlighted the internal obstacles and challenges that the KRG is facing with respect to the transfer of physical records from the entities to the allocated centralized space at the MoI. Furthermore, the digitization team expressed their concern regarding the project's timeline and UNITAD's availability to support KRG until March 2022.
  - On 5<sup>th</sup> August 2021, the joint KRG MOI/UNITAD team held a meeting with ICTech Company to discuss the software requirement specifications in relation to the records management.
  - On 8<sup>th</sup> August 2021, OCIA arranged a meeting for UNITAD's digitization team with the Ministry of Endowment and Religious Affairs to introduce the digitization project and to assess the size and type of documents and records in the possession of the aforementioned ministry.
  - On 23<sup>rd</sup> August 2021, OCIA arranged a meeting between Asayish and the joint KRG MOI/UNITAD team. In the meeting Asayish reiterated their readiness to be part of the digitization project and indicated that their records in relation to Daesh crimes can be transferred to the allocated centralized space at the MOI upon the commencement of the project.
  - On 2<sup>nd</sup> September 2021, the Third Steering Committee meeting took place where UNITAD's Chief of Staff Gerald Casey attended the meeting due to the decisiveness of this meeting on the success of the archiving and digitization project in the Kurdistan Region. In this meeting, KRG and UNITAD agreed on the following:



- A. Establishment of Joint Committee – MOI & UNITAD to identify the information which will be included in the database. Specify the criteria on the type of information in regards of criminal, evidence, and victims and assist in defining the taxonomy for the data base.
  - B. The KRG would identify a local company to design the data base for the data that will be digitized and the associated costs will be covered by the KRG. It was agreed that the funds (75-100K) set aside for the system by UNITAD would be allocated to the project on additional equipment.
  - C. It was agreed that the additional equipment would be delivered within 90 days to proceed with the digitization of data that will be centralized at the MOI. In parallel the IT Data base will be developed and expected to be operational within the same timeframe.
  - D. Commence digitization at CIGE offices and provide technical assistance and capacity building to MoI in archiving and digitization related activities.
- On 7<sup>th</sup> September 2021, representatives of OCIA participated in the regular NCC meetings where members welcomed the new head of the NCC (Mr. Qahtan Taha Khalaf, Deputy Minister of the Ministry of Foreign Affairs). In this meeting, the discussions on the renewal of UNITAD’s mandate were prioritized. Furthermore, it was agreed to renew UNITAD’s mandate under specific terms and conditions to be proposed by GOI to the United Nation.
  - In the third steering committee meeting, it was agreed that some of the equipment will be transferred to Duhok in order to be installed at the Commission for Investigating and Gathering Evidence (CIGE).
  - On 4<sup>th</sup> September 2021, representatives of MOI and UNITAD’s Digitization Team met in Duhok where 2 heavy duty scanners, one digital sender, three laptops and 2 UPS were delivered to CIGE.
  - On 7<sup>th</sup> September 2021, a joint MOI/UNITAD technical meeting was organized regarding the database being developed under MOI’s lead and the metadata scheme. ICTech as the developing company was present. Inputs from UNITAD information analyst were provided. A beta version of the database will be provided by ICTech in between 60 and 90 days.
  - On 9<sup>th</sup> September 2021, test of the digitization workflow was conducted, recruitment process initiated with 6 CIGE staff, it was also agreed that digitization will start on 12 September and statistics will be gathered on a daily basis (number of pages and number of cases). In the following weeks it was requested by MOI and the KRG Representative to UNITAD to not proceed with the recruitment process of KRG staff members by UNITAD as KRG can dedicate more staff members to speed up the digitization process.
  - It is anticipated that UNITAD will host an event in the near future with the EU sponsors to present the achievements to date and the challenges that have been encountered by the program.
  - On 30<sup>th</sup> September 2021, OCIA arranged a second meeting between Korek and the Investigative Team where it was agreed that Korek will provide all the CDRs from its cell sites within 25 km radius from the Kojo cell site for 1-20 August 2014 as well as a list of cell sites owned by Korek that are within a 30 km radius of the 39 geographic areas that were previously identified by UNITAD.
  - On 5<sup>th</sup> October 2021, the KRG Representative to UNITAD received UNITAD’s Chief of Staff. In this meeting, the following topics were discussed and underlined: KRG’s draft law, share of information with third states, Region’s candidates to work as national judicial investigators in UNITAD, the second return of Yezidi remains and the inclusion of KRG in Kojo ceremony.

- On 6<sup>th</sup> and 7<sup>th</sup> October 2021, the fourth Steering Committee meeting took place. It was agreed that by early November, KRG and UNITAD shall conclude the following activities:
  - A. Identification, preparation and transfer of the entities' records to the allocated centralized space
  - B. Readiness of the database management system (it was previously agreed that MOI will take the responsibility of the expenses and the preparation of the database management system)
  - C. Deployment of the additional requested equipment
- The new Special Advisor and Head of UNITAD met with His Excellency KRG Prime Minister on 3rd November 2021, the following were highlighted:
  - A. A large number of information and documents have been shared and submitted to UNITAD.
  - B. Digitization project is undergoing successfully.
  - C. Share of information with third states.
  - D. KRG sustains its commitment and approval on detainee interviews by UNITAD.
  - E. Discussions concentrated mainly on the draft legislation as the process was initially supported by UNITAD, His Excellency Prime Minister requested UNITAD's intervention as without the establishment of a court, the efforts of cooperation will go in vain.
  - F. The role of KRG and the support of His Excellency Prime Minister to UNITAD's work were highlighted by the Special Advisor.
- In the first week of November, at the request of UNITAD and during the SA's visit to Duhok, OCIA arranged a visit for the new Special Advisor to CIGE to be introduced to the digitization activities and the developments at CIGE. It was indicated by the Special Advisor, that the digitization/archiving process and the work of CIGE meets international standards.
- On 4<sup>th</sup> November 2021 and at the request of UNITAD, OCIA arranged a meeting between the new Special Advisor and Head of UNITAD, Christian Ritscher and the new head of the Kurdistan Region Judicial Council, Judge Abduljabbar Aziz Hassan. In the meeting, both parties stressed on increasing capacity building opportunities for KR judges and prosecutors.
- On 8<sup>th</sup> November, KRG and UNITAD's fifth steering committee meeting in relation to the archiving and digitization project took place. In this meeting ICTech Company gave a presentation on the development of the database where UNITAD also presented their observations and it was agreed that technical meetings will take place between MoI, ICTech and UNITAD to improve the database.
- On 24<sup>th</sup> November, a meeting was arranged for UNITAD's digitization team and MOI. In the meeting both parties agreed on a schedule for the deployment and configuration of the digitization equipment and the reception and processing the records of the Yezidi Rescue Office. Digitization activities at the allocated centralized space (MOI) officially started on 1 December 2021. The digitization operations started initially with two staff from the Yezidi Rescue Office and one staff from MOI.
- On 12<sup>th</sup> December 2021, a meeting took place between the NCC and UNITAD (representatives from OCIA participated in this meeting). Both parties NCC and UNITAD agreed on the need to have a clear strategic plan for UNITAD's cooperation with Iraq. It was proposed that a two-day workshop shall take place in January 2022 to agree on clear categories and timelines for areas of cooperation.

- On 25<sup>th</sup> January 2022, OCIA, CIGE and UNITAD held a meeting to discuss the initiation of the Evidence analysis project. Following this meeting, UNITAD shared with OCIA a concept notes on the project which was in turn shared with the Head of the High Ministerial Committee to seek the official approval of the KRG for the commencement of this project.
- On 13<sup>th</sup> April 2022, a meeting was held in Berlin, Germany, to investigate the financial aspects of core international crimes and their definition in the legal framework, with the participation of the KRG Representative to UNITAD, the Special Advisor of UNITAD, and representatives from the NCC and the German Federal Foreign Office.
- On 17<sup>th</sup> April 2022, KRG Representative to UNITAD welcomed Caroline Buisman, a legal officer to UN and the supervisor of digital and physical archiving in UNITAD Iraq. They discussed the progress so far made in collecting and archiving documents pertinent to ISIL crimes, and the next upcoming in this respect.
- On 23<sup>rd</sup> May 2022, a meeting was held between the Coordinator for International Advocacy, Dr. Dindar Zebari and chief of service investigation of UNITAD, Ms. Defne Akça. During the meeting, Dr. Zebari emphasized that UNITAD should get more engaged with OCIA as a representative of KRG to UNITAD and to NCC, and OCIA has to be invited in the official invitations and partake in the meetings directly. Nevertheless, the efforts of OCIA and KRG was highlighted and appreciated by the representative of UNITAD in their collaboration to them.
- On 7<sup>th</sup> June 2022, a meeting was arranged between Ismat Argushi, the director of Asayish and Simo Vaatainen, UNITAD's Head of Witness Protection and Support Unit. The main themes of the meeting revolved around the hotel managers' claims that Asayish is requiring them to report the names of individuals that UNITAD interview at hotels as a precondition for them to allow use of their facilities and identification of a facility outside detention units where UNITAD could interview detainees. Agreeing to that location is subject to SSS and WPSU assessment, discussion with the FP issues of mutual interest (their views on Da'esh threats to witnesses in KRG), and the technical assistance to set-up WPD.
- On 10<sup>th</sup> June 2022, an Iraqi delegation and the UNITAD, in collaboration with the permanent representative of Iraq to the United Nations held a meeting in the United Nations Headquarters in New York. The meeting was entitled "The Methods of Mass Killing, ISIL Crimes in Iraq and Speicher as an example". Dr. Dindar Zebari, the representative of the KRG to NCC-UNITAD attended the meeting and delivered remarks on the cooperation between the KRG and the Investigative Team across the various fields, including digitization project, excavation and exhumation of mass graves, return of remains, rescuing abductees, information sharing, detainees and witnesses interview, sharing call data records (CDRs), the efforts to establish a specialized court in the KRI to prosecute ISIL detainees for international crimes, and transmission of case files to the third countries.
- On the side-lines of his visit, Dr. Zebari met with UN senior officials and foreign missions' representatives. On Monday 13<sup>th</sup> June, the KRG Coordinator for International Advocacy, Dr. Dindar Zebari met with Mr. Axel Wennmann, the senior Political Officer of the Iraqi team in the Middle East and West Asia Division in the United Nations. The meeting focused on welcoming nearly two million refugees and IDPs in the Kurdistan Region despite the unfavorable economic situation and the role of the Peshmerga forces and their sacrifices in liberating the areas from ISIL, especially in the Nineveh Plain. In another part of the meeting, the efforts of the ninth cabinet to reform all sectors and eliminate corruption, as well as the government's commitment to human rights principles were stressed.

- On Tuesday, 14<sup>th</sup> June 2022, Dr. Dindar Zebari met with the US Deputy Permanent Representative to the UN Security Council, Ambassador Richard Mills, to discuss reforms and the role of the Kurdistan Region in advocating for the recognition of genocide carried by ISIL in Iraq. Dr. Zebari spoke about the role of the KRG in the war against ISIL terrorists, welcoming IDPs and refugees, along with providing them with services and support. Addressing the security situation in some of the liberated areas remains a priority for the Kurdistan Regional Government, which, as Dr. Zebari highlighted, depends on the implementation of the Sinjar agreement. Dr. Zebari also outlined efforts by the Kurdistan Regional Government to work closely with UNITAD and its push for accountability, which is recently culminated in a bill submitted to the Kurdistan Region's Parliament to establish a specialized court for international crimes.
- On Tuesday, 14<sup>th</sup> June 2022, Dr. Zebari met with the Head of the Victims of Terrorism Program at the UN Counter-Terrorism Centre (UNCCT), Ms. Ana Izar, to discuss ways to effectively address ongoing threats posed by the Islamic State (ISIL) and normalize the situation in the Sinjar region. Dr. Zebari highlighted the continuous threat of terrorism the Kurdistan Region has faced since 2003, most recently in the fight against ISIL. He noted that all communities in the region, especially Yazidis, have suffered tremendously at the hands of these terrorist groups. As a response to these acts, the Kurdistan Region Parliament enacted the Anti-Terrorism Law. Dr. Zebari reiterated the support of the Kurdistan Regional Government for the work of the UN, he noted the positive impact of coordinating with UNITAD focused on information exchange, evidence collection, training, and other projects related to accountability which remains a critical step in promoting peace and security in Iraq.
- On 14<sup>th</sup> June 2022, the Head of the Office of Coordination for International Advocacy, Dr. Dindar Zebari met with Ms. Alice Nderitu, the under-Secretary-General and the Special Advisor of the UN Secretary General for the Elimination of Genocide. The KRG Coordinator highlighted the crimes committed against Kurdish people and stated: the Kurdistan Region has made a heavy sacrifice in the fight against terrorism. Peshmerga forces displayed unprecedented resilience and bravery in repelling ISIL's expansionism. In another part of the meeting, Dr. Zebari pointed to the inclusion of core international crimes in Iraqi domestic laws and adherence to human rights principles. The KRG Coordinator also underlined the approval of the Regional Plan for Human Rights by the Prime Minister, which illustrates the determination of the Kurdistan Regional Government to protect human rights principles, individual and collective freedoms. For her part, Ms. Nderitu, said that she visited the Kurdistan Region, Sinjar and its surroundings in the past and saw the volatile and fragile situation in the area.
- On 3<sup>rd</sup> July 2022, Dr. Dindar Zebari, KRG Coordinator for International Advocacy received Mr. Christian Ritscher, the Special Advisor UNITAD. Both the KRG Coordinator and UNITAD's Special Advisor expressed gratitude for the timely accomplishment of the requirements that underpin the legal basis for holding ISIL terrorists accountable for committing the core crimes under international law – genocide, war crimes and crimes against humanity. Mr. Christian Ritscher acknowledged the active involvement of the official institutions of the Kurdistan Region in assisting UNITAD to gather and process substantial pieces of evidence that are essential to prosecute ISIL detainees for committing core crimes under international law. UNITAD's Special Advisor also stated that the mission of the Investigation Team partly depends on such an inclusive and consistent involvement.
- On 26<sup>th</sup> July 2022, a meeting was held at OCIA between Dr. Dindar Zebari and Hogir Bapir, from the Ministry of Interior. Hogir shared a report about the archiving/digitization project. The project in CIGE was completed on Dec 10, 2021, in which 9,801 files from 73,912 pages have been archived with the cooperation of UNITAD'S office in Duhok. As for the Office of the Rescued Abducted Yazidis, the project was completed on April 3, 2022, in which 3,543 files from 5,393 pages have been archived. From Zerevani 384 MB (124 photos) and 28,3 GB (105 video) and evidences from Asayish which includes (videos, photos, documents, and voice records) to MoI in order to commence the

project.

- On 22<sup>nd</sup> August 2022, at the request of UNITAD, OCIA arranged a meeting between UNITAD and the Deputy Head of Asayish-Duhok. The purpose of the meeting was to discuss the facilitation of access for the witnesses from Ninawa to Duhok.
- On 2<sup>nd</sup> September 2022, KRG representative received a team from UNITAD headed by Mr. Anees Ahmed, Chief of Office of Evidence Management. The following topics were discussed and underlined: case building to prepare evidences to prosecute ISIL terrorists, training program designed for Iraqi including KR judges at the International Nuremberg Principles Academy in Germany. However, they stated that according to UNITAD's mandate, providing assistance to the Federal Government and the KRG is to use the collected evidences for a national prosecution.
- On 4<sup>th</sup> September 2022, the Ninth Steering committee meeting took place at OCIA. In the meeting, UNITAD highlighted that the new EU contract has been signed and that UNITAD can resume its full-scale operations with KRI beneficiaries and confirmed that phase 1 of the project is closed, and there are sufficient funds to start an ambitious new phase with KRI. The ambition is to not only about placing focus on archiving and digitizing evidence records, but to meet the investigative team's common goals for accountability by providing justice for the victims. Furthermore, the investigative team stated that their experts will be deployed to MoI to assess the Zerevani and Asayish digital records. The members of the Steering Committee were composed of the followings:
  1. Dr. Dindar Zebari, KRG Coordinator for International Advocacy
  2. Hogir from Ministry of Interior (MOI)
  3. Ms. Caroline Buisman, Senior Legal Officer, Head of FIU1 (UNITAD)
  4. El Hadji Babacar Ndiaye, Chief ISMS, OEM, (UNITAD)
- On 14<sup>th</sup> September 2022, a meeting was held between Judge Kawa Fathi, the Head of Public Prosecutor's Office and UNITAD's digitization team headed by Mr. El Hadji Babacar Ndiaye. In the meeting, Mr. Ndiaye introduced the digitization project and enlightened their objective of the project, and its impact on the evidences that are considered to be held in their public prosecutor's office and the other courts in KRI. Furthermore, both parties agreed on Public Prosecutor's Office to identify relevant records and focal points to work with UNITAD, and the investigative team to organize a site visit to assess storage requirement in order to begin the project.
- On 23 October 2022, on the sideline of the workshop, a meeting was held between the four parties where the importance of the Investigative team's extensive efforts to establish a tribunal in the KR to prosecute ISIL suspects and to bring justice to all the victims in Iraq and in KR was stressed by Dr. Zebari and Judge Abduljabbar. Mr. Christian Ritscher reaffirmed UNITAD's steadfast readiness to assist the KRG in prosecuting ISIL suspects and supported the workshop for building cases and enhancing the capacity of KR judges and prosecutors. Judge Abduljabbar Hassan raised two points to intensify the efforts of KRG, the Federal government and UNITAD to further enhance their collective cooperation. He emphasized that the establishment of an international court in KR will certainly have a positive impact on KRI, Iraq, and the entire region. Judge Abduljabbar also pointed out the eradication of the financial sources of ISIL is crucial, since ISIL is still being assisted and supported internationally and regionally. As a result, Mr. Ritscher suggested an open dialogue between the Federal authorities and the KRG about the potential legislation, competent courts, and an international

criminal law that would be in the best interest of the state of Iraq and of course the Kurdistan region. From his side, Dr. Zebari, suggested an open dialogue be set up between the Judicial Authorities of the Federal government and the KR.

- On 21<sup>st</sup> November 2022, a joint meeting held between Judge Yerivan Mustafa, the Investigative Judge of Asayish Erbil and UNITAD team. The aim of the meeting was to appoint two investigative judges from Asayish to cooperate with the two ISIL cases that were discussed during the training workshop.
- On the same day, UNITAD's team met with Dr. Dindar Zebari, in which multiple areas of cooperation discussed, including the redeployment of the Digitization/Archiving Project at the Criminal Court 2 Erbil, status update on case building initiative (CBI), status update on the engagement with MoI, and scheduling the next steering committee meeting. A Meeting was held between the Asayish's Investigative Judge and UNITAD Regarding the Nomination of a Couple of Investigative Judges.
- On 19<sup>th</sup> December 2022, the Coordinator's Office organized a meeting between the Christian Investigative Unit of UNITAD and the Christian Unit at the Ministry of Endowment and Religious Affairs. The meeting focused on discussing the crimes committed by ISIL against the Christian community, facilitating access to evidence and victims of these crimes, and focused on the destruction of religious and cultural heritages belonging to Christians in the Nineveh Plain, Bartala, Karakosh, and Hamdania.
- On 24<sup>th</sup> January 2023, the High Ministerial Committee to Recognize the ISIL Crimes as Genocide convened. Focus was placed on revisiting the accomplished tasks and laying down future plans. The committee also welcomed German parliament's recognition of ISIL crimes against Yazidis as genocide.
- On 19<sup>th</sup> February 2023, the Tenth regular steering committee meeting was held between OCIA, UNITAD's team led by Mr. Anees Ahmed Chief of Office of Evidence Management, and Kak Hogir Bapir the director of information and communications directorate at the MoI. The discussions underscored the follow-up and monitoring process of the KRG digitization project, which is technically and logistically supported by the Investigative Team. Although, the launching of the digitization activities at the Criminal Court 2, holding the next session of the case building workshop, and the training on evidence management and digital forensics underscored as the next phases of engagements between KR-I entities and UNITAD.

### **C. Excavation of Mass Graves, Return of Remains, and Joint Site Visits**

- After these efforts, approval was given for the participation of KRG officials in the burial ceremony in Kojo. Following authorization from His Excellency KRG Prime Minister, the Region's delegation headed by the KRG representative to UNITAD participated and delivered KRG's speech in the Yezidi burial ceremony on 6 February 2021.
- On 25<sup>th</sup> October 2020, OCIA received official request for site visits from UNITAD. In early November 2020, the following meetings and site visits took place accordingly:
  - A. UNITAD's meeting with Asayish Focal Point
  - B. UNITAD's meeting with CT focal points
  - C. UNITAD's site visit to the CIGE
  - D. UNITAD's site visit to the Yezidi Rescue Office
  - E. UNITAD's site visit to the Public Prosecutor's Office
- On 24<sup>th</sup> June 2021, OCIA arranged a visit for UNITAD's Forensic Unit to MoI's Forensic Lab. Areas for capacity building were identified by the team and approaches to address cooperation between the two parties will further be explored upon the team's mission to Erbil in August 2021.
- On 6<sup>th</sup> July 2021, the joint KRG MOI/UNITAD team conducted a site visit at CIGE followed by a comprehensive site assessment at the Office of the Rescued Yezidi Abductees on 15 July. The purpose of these site visits was to assess and better understand the type and the number of records in the possession of these institutions.
- At an event held at the University of Duhok titled, "Building Community Empathy to Prevent Atrocities" on 16 September 2021, UNITAD shed light on the role of its psychologists in addressing the significance of empathy and building resilience among Yezidi survivors of Da'esh crimes in Iraq.
- On 23<sup>rd</sup> November 2021, UNITAD held an outreach event at camp Qadia with the survivors and the families of the victims in support for the Kojo Return of Remains. Prior to the event and at the request of UNITAD on 17 November, OCIA liaised with the office the Governor of Duhok to notify the management team of Camp Qadia and Barzani Charity Foundation to provide assistance to the UN Investigative Team before and during the outreach event. CIGE represented KRG at this outreach event.
- On 24<sup>th</sup> November, a second outreach event took place in Duhok with the presence of members of the Federal Government, UNITAD, NGOs, support groups, families of victims and members of KRG (Ministry of Martyrs and Anfal Affairs, CIGE, DFR, representative of Duhok governor and KRG representative to UNITAD). This event was in support for the second return of Yezidi remains to Kojo. On the same day a private meeting took place between UNITAD's Chief of Staff, representative of Sheikh Nayef, KRG representative, Director of Mass Graves Directorate, Director of Medico Legal Directorate where all the parties agreed that the second return of remains will take place on 9 December 2021 with the participation of KRG.
- On 9<sup>th</sup> December 2021, the second return of Yezidi remains to Kojo took place which included the remains of 41 individuals. Speeches at the event were given by the Representative of the Kurdistan Regional Government as well as the Representative of the Presidency of the Region.
- On 6<sup>th</sup> February 2022, UNITAD organized a symbolic ceremony at the Iraqi Supreme Judicial Council to mark the successful completion of two basic and advanced courses. A distinguished group

of judges from the Kurdistan Region who had successfully completed the courses also participated in the ceremony.

- On 12<sup>th</sup> February 2022, the KRG Coordinator to UNITAD on behalf of His Excellency Prime Minister participated in the exhumation ceremony of the victims of Hardan massacre in Northern Sinjar Mountain.



#### **D. Trilateral Workshops Between KRG, NCC and UNITAD**

- On 8th October 2020, a training workshop given by UNITAD was arranged to all the relevant ministries and departments to receive knowledge about the UN Security Council, Tribunals, and UNITAD's mandate, composition and activities.
- UNITAD's Digitization Team provided a two-day workshop on 25 and 26 May to all the beneficiaries for the purpose of implementing the practical steps of the digitization process of the documents as well as physical and digital archiving.
- On 1st and 2nd July 2021, representatives of OCIA along with members of the NCC participated in a two-day workshop that was held by UNITAD in Erbil. The workshop covered the following themes:
  - A. Linking the excavations to UNITAD investigative activities
  - B. Reviewing the lessons learned from Solagh and Badoush
  - C. Coordinating the outreach events for future return of remains (RoR) ceremonies
  - D. Going through the lessons learned on the RoR to Kojo
  - E. Leveraging and utilizing psychosocial supports before, during and after events
  - F. Agreeing on checklist for activities to be undertaken for future RoR to Kojo
- On 12<sup>th</sup> and 13<sup>th</sup> January 2022, UNITAD and NCC strategic discussions workshop took place where KRG Coordinator for International Advocacy participated as KRG's representative. In this workshop it was agreed that KRG relevant authorities will be kept in the loop for all activities and that KRG will be represented in all international and regional events that will be held in collaboration between UNITAD and Iraq with regard to ISIL's crimes.
- On 23<sup>rd</sup> October, 2022, the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) organized a workshop at Dedeman Hotel, Erbil. Wherein, 11 judges and public prosecutors from Erbil, Sulaymaniyah, Duhok, and Garmyan participated in the workshop. The exclusive focus of the workshop was on Case Building and Capacity Development Initiative for the Prosecution of Da'esh Suspects for KR judges and public prosecutors. Dr. Dindar Zebari, the KRG Coordinator for International Advocacy delivered a keynote speech at the workshop in the presence of Judge Abduljabar Aziz Hassan the President of the KR Judicial Council, Judge Suham Abdulqadir Nabi the Deputy Chief of Public Prosecution, and Mr. Christian Ritscher, the Special Advisor and head of UNITAD. Throughout his speech, the KRG Coordinator stressed the significance of KRG's engagement with the Investigative Team and the efforts to establish a specialized court in the KR to prosecute ISIL suspects who are detained in the Kurdistan Region. I also highlighted that there are still hundreds of foreign and local ISIL detainees in KR custody and these cases need to be processed in relation to international laws. The Judges and Public Prosecutors that took part in this training workshop were the following:
  - 1. Rawdha Abdulhusain Tahir, Public Prosecutor, Erbil
  - 2. Kazhal Naef Rahman, The Head of the Adult and Juvenile Crimes Commissions, Erbil
  - 3. Goran Faraj Mohammed Salih, the Deputy Public Prosecutor, Kalar, Garmyan

4. Ismail Mahmood Mamand, the Deputy Public Prosecutor, Dukan, Sulaymaniyah
  5. Ali Malik Hussein, the Deputy Public Prosecutor, Piramagrün, Sulaymaniyah
  6. Kamiran Faris Amin, the Deputy Public Prosecutor, Duhok
  7. Tawfiq Mihi-Aldinn Mohammed Salih, the Deputy Public Prosecutor, Akre, Duhok
  8. Aso Othman Abbas, Judge at the Court of Inquiry, Erbil
  9. Azad Haydar Bawa, Judge at the Criminal Court 1, Erbil
  10. Emaad Faris Rashid, Judge at Criminal Court 2, Erbil
  11. Hassan Ali Murad Amin, Judge at the Criminal Court, Erbil
- The second round of the Capacity Building and Case Development Initiative for the Prosecution of Da'esh Suspects training workshop for the KR Judges and Public Prosecutors took place on 7.8.9.19 of November 2022. This round covered investigative principles and procedures to investigate the suspected members of the ISIL. At the end of the training workshop two identified ISIL cases presented to the judges to obtain any evidences related to them.
  - The Training Course on International Humanitarian Law & International Criminal Law for Iraqi and KR Judges began at the International Nuremberg Principles Academy in Germany on November 21, 2022, for 20 Iraqi Judges including 5 from the KRI. Mr. Christian Ritscher the Special Advisor and Head of UNITAD addressed the opening remarks of the program and stated that the judiciary in Iraq is UNITAD's natural partner in serving the ultimate goal of achieving accountability and ensuring justice for international crimes committed by ISIL in Iraq.
  - On 5<sup>th</sup> December 2022, UNITAD delivered a 1-day conference entitled “Blueprint for Psychosocial Support of ISIL Crimes Survivors: Trauma-Informed and Capacity Building Practices”, with the attendance of the Iraqi and KR counterparts including: the Ministry of Interior (Baghdad and KRG), Ministry of Justice (Baghdad), Ministry of Health (Baghdad and Erbil), Medical legal Directorate (Baghdad), National Security Advisor (Baghdad), Mass Grave Directorate (Baghdad), and CIGE. The main objectives of the conference were to increase awareness of the importance of psychosocial needs for survivors of serious crimes in justice processes, understand needs and related gaps for the provision of mental health and psychosocial support within Iraqi justice processes for survivors of ISIL crimes, build collaborative partnerships, and widening the network of service providers.

**E. Periodic Reports of the Special Advisor and Head of the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) to the President of the Security Council**

**First Report of the Special Advisor and Head of UNITAD Mr. Karim Khan, to UN Security Council, Released on November 16, 2018**

- The report conveys the work of the investigative team in response to the security council from the government of Iraq to hold members of ISIL accountable for the crimes committed. To date, over 200 mass graves have been discovered in the previously controlled areas that ISIL had taken control of. In addition to this, UNITAD is working closely with UNAMI to maximize and leverage further resources. Furthermore, this report identifies the productive meeting amongst high level officials of Iraq. The special advisor has led crucial meetings with key regional government representatives such as the Deputy Prime Minister and Minister of the Interior of the Kurdistan region of Iraq.

**Second Report of the Special Advisor and Head of UNITAD Mr. Karim Khan, to UN Security Council, Released on May 17, 2019**

- In addition to this, the members of the investigative team alongside the special advisor have emphasized the importance of equality and diversity. In addition to this, UNITAD continues to collaborate with the KRG and government of Iraq; thus, including the arrangement of document and digital evidence to further support and enhance the work. This was particularly reflected on the 19th of January 2019 when steps were taken to centralize DNA samples of victims and survivors of ISIL.

**Third Report of the Special Advisor and Head of UNITAD Mr. Karim Khan, to UN Security Council, Released on November 13, 2019**

- There has been continuous development to introduce a legislation framework for the prosecution of the crimes committed by ISIL. Thus, there have been ongoing efforts to establish a legal framework in Iraq. The special advisor has engaged on a regular basis with the senior members of the KRG to establish strong dialogue and thorough commitment. Following this, an intergovernmental task force was established to cooperate with the investigative team. To begin this, an initial meeting was held between them on October 2019.

**Fourth Report of the Special Advisor and Head of UNITAD Mr. Karim Khan, to UN Security Council, Released on May 27, 2020**

- An active and collective approach has been conducted between the team and the Iraqi authorities. In February 2016, 62 victims had been identified by the government. Thus, following on from this, an organized ceremony for the victims was set to take place in march 2020 but this was postponed due to covid 19. Also, from 1st-6th March 2020 the under-security general held productive meetings with both the government of Iraq and Kurdistan as well as ensuring visits to meet with survivor groups, non-governmental organizations and affected communities.

**Fifth Report of the Special Advisor and Head of UNITAD Mr. Karim Khan to UN Security Council, Released on November 11, 2020**

- UNITAD has ensured there is a well improved infrastructure in the areas of Duhok and that has been utilized for witness interviews. Also, the investigative team has agreed with the supreme judicial court of Iraq to support case files in order to create a legal basis that will prosecute the crimes of ISIL as war crimes.

**Sixth Report of the Special Advisor and Head of UNITAD Mr. Karim Khan, to UN Security Council, Released on May 10, 2021**

- The office of rescued Yazidi affairs of the Kurdistan regional government has played a significant role in providing a total of 4,636 statements and 109 audio statements. There has been thorough engagement between the senior members of the Kurdistan regional government; this has been a crucial priority for the special advisor. Furthermore, UNITAD has made continuous efforts to ensure a basis of support for the witness protection department of the government of Iraq.

**Seventh Report of the Special Advisor and Head of UNITAD Mr. Christian Ritscher, to UN Security Council, Released on December 2, 2021**

- In Kurdistan, the team had worked closely with a total of 8 local authorities to ensure a thought process of each step of identification and preparation of results is met. Nonetheless, a versatile approach has been utilized via visual assets, digital mapping and laser scans to obtain both documents and evidence.

**Eighth Report of the Special Advisor and Head of UNITAD Mr. Christian Ritscher to UN Security Council, Released on May 26, 2022**

- The report covers the meeting that took place between the SA and the minister of interior of KR. This meeting produced positive contributions and expressed appreciation of what has been completed. This can be highlighted, with UNITAD efficient work with the mass graves directorate of Iraq. Though, there are some security issues ongoing efforts are made to locate mass graves.

**Ninth Report of the Special Advisor and Head of UNITAD Mr. Christian Ritscher to United Nations Security Council, Released on November 8, 2022**

- The 9th report was submitted by Mr. Christian Ritscher the Special Advisor and Head of UNITAD to the United Nations Security Council on December 5th 2022. The report highlighted the progress of the investigations made by the team in the analysis of the ISIL crimes committed in several communities. The report builds on the five case assessments completed during previous reporting periods, addressing crimes committed against the Yazidi community in Sinjar from August 2014; the mass killing of military cadets and personnel from Tikrit Air Academy in June 2014; crimes committed by ISIL in and around Badush prison near Mosul in June 2014; the Al-Rawi network and the facilitation of ISIL financing; and the development and use of chemical and biological weapons by ISIL in Iraq. In conclusion, the team continuously automises its ability to process digital evidence ensuring that database is reviewed. In relation to this, the team will continue to ensure that both the KRG and Iraqi authorities are informed of key findings.

## **V: Outstanding Issues**

### **1. Establishment of a legal basis for the prosecution of crimes committed by Islamic State in Iraq and the Levant as war crimes, crimes against humanity and genocide in Iraq**

- KRG prepared a legislation to establish a specialized criminal court in the KR to hold ISIL members accountable for acts that may amount to war crimes, crimes against humanity and genocide. The bill was approved by the Council of Ministers in April 2021, and submitted to the Parliament (the first reading took place in addition to four extensive meetings with the government counterparts, UNITAD, Judicial Council, and academics).
- UNITAD’s Senior Legal Officer Christopher Gosnell was present in all the related Parliament meetings and this demonstrated UNITAD’s commitment to support KRG to pass the bill. Nevertheless, following the Advisory Opinion of the Federal Supreme Court the bill rejected based on some groundless basis.
- The issuance of the advisory opinion apparently did not completely corresponded with the Proper legal spectrum in place for some reasons: the Federal Supreme Court commented on a rough draft while it was incumbent legal jurisdictions contend that it resolved the constitutionality of enacted laws and legislations, the establishment of the court was not a constitutional breach while article 95 from the Iraqi Constitution renders endeavors of establishing special courts unconstitutional, and the party that requested the Federal Supreme Court to pitch in at this moment was not institutionally competent. The Federal Council of Ministers should have been the party to put this decisive subject in motion.
- In reference to the received draft legislation of “The Competent Criminal Court Law of ISIL Crimes in the Kurdistan Region-Iraq” by the state minister for Parliament Affairs, a detailed review conducted on all chapters to fill the legal vacuums in order to prepare an integrated legal project that covers all aspects of international criminal law and the inclusion of the three-bedrock jus cogens crimes in the draft law. The following propositions were presented after adopting the comparative approach of the following legal jurisdictions:
  1. Crimes against Humanity and War Crimes Act (S.C. (Statutes of Canada) 2000, c.24), Act current to 2020-11-02 and last amended on 2019-09019.
  2. Code of Crimes against International Law (CCAIL0, Germany 2022).
  3. International Criminal Court Act, United Kingdom, 2001.
  4. Rome Statute of the International Criminal Court ICC, 2002.
  5. SPECIAL Court for Sierra Leone, 2002.
  6. Extraordinary Chambers in the Courts of Cambodia (ECCC), 2006.
  7. Ad-Hos Court for East Timor, 2000.
  8. International Criminal Tribunal for Rwanda, 1994.

### **KRG Law on Combating Intimidation (Terrorism) in the Kurdistan Region–Iraq**

- The KR Anti-Terrorism Law No 3 (2006) has been considered an option to prosecute ISIL perpetrators, if legal means were available to incorporate the three international core crimes in the aforementioned legislation. As the Head of the KR Judicial Council mentioned during his meeting with the Special Advisor and Head of UNITAD, the establishment of this criminal court does not stand in opposition to the Iraqi constitution. The law, the Head of the Judicial Council argued, can be expounded to cover the core international crimes with an utter adherence to domestic laws – since its content already has implications of international crimes and stumbles on them. Despite the controversial legal ambiguities, under this law 157 ISIL terrorists in 2021 and 122 ISIL terrorists in

2022, were prosecuted in the KR, and a number of terrorists has been exchanged between the federal and the regional government.

- According to article 1 of the KR Anti-Terrorism Law, “every act considered an international crime such as genocide, crimes against humanity, war crimes, and crimes of aggression are considered terrorist crimes subject to the provisions of this law if they are committed within the framework of an organized or unrecognized terrorist project that threatens the political and security entity of the Kurdistan Region”.

## **2. Witness Protection Department (WPD)**

- The Investigative Team has continued its support with regard to the establishment of a dedicated witness protection department within the Government of Iraq. At the request of the National Coordinating Committee and the Ministry of Interior, and in a close coordination with the European Union Advisory Mission in Iraq and the United Nations Development Program (UNDP), the Team is in the process of establishing a WPD. The Team is also in discussions with the Kurdistan Regional Government regarding to establish the same department.
- Law No (58) 2017 on the Protection of Witnesses, Experts, Informants and Victims, is meant to establish a WPD. The MoI is in the process of adopting the 2017 Iraqi law – with certain amendments – which will enable the KRG to establish a WPD in the KR.

## **3. A Location to Interview ISIL Detainees**

- In order to create an appropriate condition to interview ISIL detainees, UNITAD requested OCIA to facilitate the identification of a suitable facility outside the KRG detention units to conduct the interviews. The matter appears to have been delayed since 2021, and it would be important to agree on the appropriate location; which will be subject to the assessment by UNITAD Security Section and WPSU for detainee interviews without further delay.
- During Asayish-UNITAD on 7<sup>th</sup> June 2022, UNITAD requested interviewing ISIL detainees that are in the custody of KRG security authorities to be conducted in a court either in Erbil or Duhok, or a safe house. However, Asayish recommended conducting the interviews within Asayish premises due to the public nature of the courts and security issues.

## **4. Memorandum of Understanding (MoU)**

- The Team continued to find ways to further share information with Iraq in line with its terms of reference. In this regard, emphasis was placed on concluding a Memorandum of Understanding (MoU) between the Team and the Government of Iraq, specifically the National Security Advisory Council that would enable the Team to share information in support of the development of application packages by Iraq to have ISIL terrorists added to the Security Council sanctions listings. Drafted jointly, the memorandum of understanding is awaiting final approval by the Council of Ministers.
- Yet KRG is not involved in the discussions of the memorandum, nor does it have the list of the persons that are enlisted in the UNSC’s sanctions list.

## **5. Hiring Iraqi Experts**

- In consultation with the Government of Iraq, the number of national experts appointed to the Team has further increased. By using extra budgetary funding and filling remaining regular budget posts, it is anticipated that an additional 6 national experts will be appointed, taking the total number of Iraqi national experts serving with the Team to 27.
- Despite the extensive assistance and cooperation that KRG provides to the Investigative team, no experts from KR are working with the team. Discussions should be commenced to address this outstanding issue.