

33. Threats to international peace and security

During the period under review, the Council held two meetings under the item entitled “Threats to international peace and security”.¹⁰⁹¹ More information on the meetings is provided in table 1 below. In 2021, the Council adopted one resolution under the item, in which it extended the mandate of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da’esh/Islamic State in Iraq and the Levant (UNITAD) established pursuant to resolution 2379 (2017) until 17 September 2022.¹⁰⁹² Council members also held one videoconference in connection with the item, more details on which are given in table 2 below.¹⁰⁹³

In 2021, under the item, Council members heard briefings on the progress made in the work of UNITAD.¹⁰⁹⁴ In that regard, the Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da’esh/Islamic State in Iraq and the Levant provided two briefings to the members of the Council in connection with the biannual reports on the activities of the Team.¹⁰⁹⁵

In an open videoconference held on 10 May,¹⁰⁹⁶ the Special Adviser informed Council members about the rapid expansion of the evidentiary holdings of UNITAD over the past six months, including significant developments in the collection of forensic evidence from mass grave sites, digital data extracted from Islamic State in Iraq and the Levant (ISIL/Da’esh) hard drives and the digitization of documentary case files, in cooperation with Iraqi authorities. The Special Adviser further told Council members that initial case briefs had been completed in relation to two key investigative priorities: the mass killing of unarmed cadets and military personnel at Tikrit Air Academy in June 2014 and the attacks against the Yazidi community in the Sinjar region. With regard to the attacks in the Sinjar region, he confirmed that, based on its independent criminal investigations, UNITAD had established clear and convincing evidence that genocide had been committed

by ISIL/Da’esh against the Yazidi as a religious group. In addition, in relation to the mass killing at Tikrit Air Academy, he noted that UNITAD had concluded that those acts constituted war crimes of murder, torture, cruel treatment and outrages upon personal dignity and that, based on clear and convincing evidence, a Da’esh video released in July 2015 showed that those killings constituted a direct and public incitement to commit genocide against Shia Muslims. In order to fulfil the mandate of UNITAD, he said that the Team’s work must be put before national courts to prosecute those responsible for the horrific crimes he had described. In that regard, he confirmed that UNITAD had put in place arrangements with the Iraqi judiciary allowing the Team to transfer evidence it had collected concerning financial crimes committed in support of ISIL/Da’esh activities in Iraq. He also said that, in parallel, UNITAD had sought to harness existing channels for the use of its evidence in criminal proceedings as a way to strengthen its support provided to other national authorities in response to requests for assistance.

During the same videoconference, Council members also heard a briefing by the Nobel Peace Prize laureate, Nadia Murad. While acknowledging that the work of UNITAD presented opportunities for justice and that the Team was contributing evidence to a number of ongoing proceedings, she said that much work remained. She added that, with successful investigations, the Council must now prioritize and accelerate concrete action to address the findings. In that regard, she affirmed that international tribunals were needed to address the universal magnitude of ISIL/Da’esh crimes against humanity. She also referred to her earlier call to the Council to create a clear plan for prosecution and to refer the genocide to the International Criminal Court or to establish a court by treaty. She added that accountability was essential to defeating ISIL/Da’esh and formally acknowledging the trauma that survivors continued to endure.

Following the briefing, Council members expressed support for the work of UNITAD, welcomed the progress it had achieved in its investigations and acknowledged the cooperation between the Team and the Iraqi authorities. Council members¹⁰⁹⁷ also discussed the reform of the legislative framework that would enable Iraq to process the evidence collected by UNITAD. In that regard, the representative of France recalled the United Nations consistent position of

¹⁰⁹¹ For more information on the format of meetings, see part II, sect. II.

¹⁰⁹² Resolution 2597 (2021), para. 2. For more information on the establishment of UNITAD, see *Repertoire, Supplement 2016–2017*.

¹⁰⁹³ See also A/76/2, part II, chap. 29. For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II, sect. I, and *Repertoire, Supplement 2020*, part II, sect. I.

¹⁰⁹⁴ For more information about the situation concerning Iraq, see sect. 21 above.

¹⁰⁹⁵ S/2021/419 and S/2021/974.

¹⁰⁹⁶ See S/2021/460.

¹⁰⁹⁷ China, Ireland, Kenya, Mexico, Saint Vincent and the Grenadines and United States.

non-transmission of material in the context of legal proceedings involving the possibility of a death sentence and encouraged the Iraqi authorities to finalize the legislative framework in accordance with the highest human rights standards and principles. The representative of Ireland recalled the country's unequivocal opposition to the use of the death penalty in that context, and the representative of the United Kingdom urged collaboration to secure an evidence-sharing mechanism that provided assurances on the use of the death penalty. The representative of the Russian Federation stated that the Russian Federation did not see any reason to make that sort of cooperation dependent on legislative reforms, noting that the Council had never prescribed such an approach. Several Council members¹⁰⁹⁸ also referred to the need to respect the sovereignty of Iraq, with some¹⁰⁹⁹ recalling that the Iraqi authorities were the primary intended recipients of evidence collected by UNITAD, in accordance with resolution [2379 \(2017\)](#). In his statement, the representative of Iraq noted that his Government was making legal preparations to use evidence received from UNITAD before national courts, thereby enhancing their legal and judicial capabilities. He further underscored that, after more than three years of continuous work and concerted efforts by the Government of Iraq and UNITAD, it was crucial for the Government of Iraq to obtain the results and evidence gathered by the Team and emphasized that UNITAD should operate with full respect for the sovereignty of Iraq and its jurisdiction over crimes committed in its territory against its citizens. In that regard, he added that the Team must abide by its mandate and the periods of time specified therein, which had been extended with the approval and at the request of his Government.

On 17 September, further to the request of the Government of Iraq,¹¹⁰⁰ the Council unanimously adopted resolution [2597 \(2021\)](#), by which it extended the mandate of the Special Adviser and UNITAD for a period of one year, until 17 September 2022.¹¹⁰¹ By the resolution, the Council also requested the Special Adviser to continue to submit and present reports to the Council on the Team's activities every 180 days.¹¹⁰²

¹⁰⁹⁸ China, Russian Federation, Saint Vincent and the Grenadines and Tunisia.

¹⁰⁹⁹ China, India, Russian Federation and Tunisia.

¹¹⁰⁰ See [S/2021/801](#).

¹¹⁰¹ Resolution [2597 \(2021\)](#), para. 2.

¹¹⁰² *Ibid.*, para. 3. For more details on UNITAD, see part IX, sect. III.

At a meeting held on 2 December,¹¹⁰³ the newly appointed Special Adviser provided his first briefing to the Council in connection with his report on the activities of UNITAD.¹¹⁰⁴ He said that there was a moment of perhaps unexpected hope and noted that, through the establishment of structural case briefs addressing crimes committed against all affected communities in Iraq, through the development of detailed case files tying the actions of specific ISIL/Da'esh members to those crimes and by harnessing advanced technology to serve that purpose, a new landscape could be envisioned in which those who believed themselves to be out of reach of justice were held accountable in a court of law.¹¹⁰⁵ He announced to the Council that UNITAD had finalized its initial case brief detailing the Team's conclusion that the crimes committed by ISIL/Da'esh members at Badush Central Prison constituted crimes against humanity of murder, extermination, torture, enforced disappearances, persecution and other inhumane acts, and the war crimes of wilful killing, torture, inhumane treatment and outrage upon personal dignity. He also indicated that it was essential that those who had financially supported and profited from ISIL/Da'esh crimes were also brought to justice. That imperative, combined with a drive to understand the economic mechanisms at the heart of ISIL/Da'esh operations, had guided the work of the dedicated Financial Crimes Unit of UNITAD. Noting the enhanced engagement with the Iraqi authorities, the Special Adviser acknowledged that the work of UNITAD in implementing its mandate would not be satisfied through the collection of evidence alone or through the establishment of an archive or historical record, adding that the evidence must be put to work before the competent courts. In that regard, the Team had redoubled its efforts to share knowledge with national authorities in areas that might ultimately support the development of joint case files and the conduct of proceedings in Iraq. The Special Adviser further asserted that, by the end of 2022, UNITAD would have established a cross-cutting and comprehensive legal basis for the prosecution of ISIL/Da'esh members for international crimes committed against a broad range of communities, as well as its chemical weapons programme and financial support systems. He also underlined his commitment, at the request of the Government of Iraq, to work with all partners in establishing a domestic legal framework that allowed UNITAD to harness the evidence in prosecuting ISIL/Da'esh members in Iraq. In closing, he noted that a landmark moment had been reached in the Higher Regional Court in Frankfurt, Germany, through the first-

¹¹⁰³ See [S/PV.8914](#).

¹¹⁰⁴ See [S/2021/974](#).

¹¹⁰⁵ See [S/PV.8914](#).

ever conviction of an ISIL/Da'esh member for the crime of genocide.

Following the briefing, Council members welcomed the continued progress in the Team's investigations and commended the collaboration between the Team and the Iraqi authorities. Council members also expressed support for and commended the Team's efforts in investigating the use of biological and chemical weapons by ISIL/Da'esh. In reference to the conviction of an ISIL/Da'esh member by a court in Germany, the representative of Kenya recognized the contributions made by UNITAD in that regard. Similarly, the representative of Ireland stated that the conviction was an important reminder of the Team's value in delivering justice for the victims and survivors of ISIL/Da'esh crimes, and the representative of the Niger invited all States to strengthen their cooperation with UNITAD to identify, apprehend and bring to justice all those who were suspected of committing crimes of terrorism. As in prior discussions on the

matter, several Council members¹¹⁰⁶ underscored the importance of respecting the sovereignty of Iraq in the Team's discharge of its mandate. The representative of Iraq stated that the Iraqi Parliament had completed its first reading of the draft bill establishing the Supreme Iraqi Criminal Tribunal, which would make it possible for Iraq "to use the evidence related to crimes committed by Da'esh against the Iraqi people". He also underscored that his Government was following and assessing the work of UNITAD and that it was critical to establish a strategic plan together with the National Coordinating Committee in order to achieve the Team's goals, reiterating that Iraq would continue to cooperate with the Team and would provide the necessary assistance. He also noted that the use of criminal evidence beyond Iraqi jurisdiction must be subject to the agreement of the Government of Iraq.

¹¹⁰⁶ China, Saint Vincent and the Grenadines and Tunisia.

Table 1

Meetings: threats to international peace and security

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.8863 17 September 2021		Draft resolution submitted by United Kingdom (S/2021/803)				Resolution 2597 (2021) 15-0-0
S/PV.8914 2 December 2021	Letter dated 24 November 2021 from the Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) addressed to the President of the Security Council (S/2021/974)		Iraq	Special Adviser and Head of UNITAD	All Council members, all invitees	

Table 2

Videoconference: threats to international peace and security

<i>Videoconference data</i>	<i>Videoconference record</i>	<i>Title</i>	<i>Decision, vote (for-against-abstaining) and record of written procedure</i>
10 May 2021	S/2021/460	Letter dated 12 May 2021 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council	

34. Maintenance of international peace and security

During the period under review, the Council held eight meetings in connection with the item entitled “Maintenance of international peace and security”. The Council adopted three resolutions, one of them under Chapter VII of the Charter, and adopted four presidential statements. More information on the meetings, including on the participants, speakers and outcomes, is given in table 1 below. In addition, Council members held 10 videoconferences in connection with the item.¹¹⁰⁷ More information on the videoconferences is given in table 2 below. In addition to meetings and videoconferences, Council members also held informal consultations of the whole and closed videoconferences in connection with the item.¹¹⁰⁸

As in previous periods, a broad range of new and existing sub-items and themes were discussed in connection with the item.¹¹⁰⁹ The sub-items and themes addressed in 2021 were the following: (a) challenges of maintaining peace and security in fragile contexts; (b) implementation of resolution [2532 \(2020\)](#);¹¹¹⁰

(c) climate and security; (d) conflict and food security; (e) mine action and sustaining peace – stronger partnerships for better delivery; (f) upholding multilateralism and the United Nations-centred international system; (g) cybersecurity; (h) maritime security; (i) exclusion, inequality and conflict; (j) peace and security through preventive diplomacy: a common objective to all the principal organs of the United Nations; and (k) security in the context of terrorism and climate change.

On 6 January, at the initiative of Tunisia, which held the presidency for the month,¹¹¹¹ Council members held a high-level open videoconference focused on the theme “Challenges of maintaining peace and security in fragile contexts”.¹¹¹² At the videoconference, Council members heard briefings by the Secretary-General, the Chairperson of the African Union Commission and the former President of Liberia.

In his opening remarks, the Secretary-General stated that addressing the links between fragility and conflict was an essential component of international peace and security, because fragility and conflict were among the greatest obstacles to the implementation of the 2030 Agenda for Sustainable Development. Referring to the World Bank report entitled *Fragility and Conflict: On the Front Lines of the Fight against Poverty*, he noted that humanitarian needs had multiplied, reaching the highest levels since the Second World War. Moreover, the COVID-19 pandemic had further exacerbated those trends. Noting that the climate emergency was a further driver of insecurity, he emphasized that, to break the cycle of poverty and conflict, there was a need for a more ambitious approach based on the principles of interdependence and inclusion enshrined in the Sustainable

¹¹⁰⁷ For more information on the format of meetings, including high-level meetings and videoconferences, see part II, sect. II. For more information on the procedures and working methods developed during the COVID-19 pandemic, see part II, sect. I, and *Repertoire, Supplement 2020*, part II, sect. I.

¹¹⁰⁸ See [A/76/2](#), part II, chap. 34.

¹¹⁰⁹ As explained in *Repertoire, Supplement 2020*, part II, sect. I, videoconferences, whether open or closed, were not considered formal meetings of the Council for all relevant purposes, including for the agenda of the Council. Therefore, topics discussed in videoconferences were not considered as formal sub-items. For more information on new sub-items and topics, see part II, sect. III.A.

¹¹¹⁰ The topics for the open videoconferences on 25 January and 17 February were “Follow-up on the implementation of resolution [2532 \(2020\)](#)” and “Implementation of resolution [2532 \(2020\)](#)”, respectively. They were consolidated as a single topic.

¹¹¹¹ A concept note was circulated by a letter dated 28 December 2020 ([S/2020/1296](#)).

¹¹¹² See [S/2021/24](#).