Security Council

Letter dated 20 November 2017 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2379 (2017), in which the Security Council requested me to establish an investigative team, headed by a special adviser, to support domestic efforts to hold Islamic State in Iraq and the Levant (ISIL, also known as Da'esh) accountable, by collecting, preserving and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide committed by the terrorist group ISIL in Iraq.

Pursuant to paragraph 4 of resolution 2379 (2017), the Security Council further requested me to submit for its approval, within 60 days, terms of reference acceptable to the Government of Iraq, in order to ensure that the investigative team can fulfil its mandate. The deadline for submission is 20 November 2017.

The Secretariat has prepared draft terms of reference and has discussed them with representatives of the Government of Iraq. The discussions have been positive and have proceeded in a very cooperative spirit. Substantial progress has been made on the terms of reference and most of the technical questions have been resolved. However, owing to the complexity of some of the issues, the discussions have yet to result in an agreed text of the terms of reference. In particular, it has not yet been possible to resolve an issue concerning the sharing of evidence by the investigative team in respect of any criminal proceedings in which capital punishment could be imposed or carried out.

I therefore wish to request an extension of the deadline for the submission of the terms of reference to the Security Council until 20 December 2017 in order to conclude the ongoing discussions with the Government of Iraq.

I would be grateful if you could bring the present letter to the attention of the members of the Security Council.

(*Signed*) António **Guterres**

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