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<i>President:</i>	Mr. Kariuki	(United Kingdom of Great Britain and Northern Ireland)
<i>Members:</i>	Algeria	Mr. Bendjama
	China	Mr. Dai Bing
	Ecuador	Mr. Escobar Ullauri
	France	Mr. Fournel
	Guyana	Ms. Persaud
	Japan	Mr. Mikanagi
	Malta	Ms. Micallef
	Mozambique	Mr. Buanahagi
	Republic of Korea	Mr. Cho
	Russian Federation	Ms. Zabolotskaya
	Sierra Leone	Mr. George
	Slovenia	Mrs. Blokar Drobič
	Switzerland	Mrs. Chanda
	United States of America	Mr. Simonoff

Agenda

The situation in Libya

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The meeting was called to order at 11.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Karim Khan, Prosecutor of the International Criminal Court, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. Khan.

Mr. Khan: I thank you, Mr. President, for the opportunity and the honour to brief the Security Council once again today. I would wish to start by following the President's lead in recognizing and expressing my sincere thanks for the attendance of His Excellency the Permanent Representative of Libya to the United Nations.

This is my second visit to Libya, and it is the second time that I have had the opportunity to brief the Security Council from the soil of this land. It is only right to start by thanking the authorities here in Libya — the President, the Prime Minister and the Attorney General — for facilitating the trip and for the engagement, the support and the very constructive discussions, some of which I intend to touch upon in my remarks this morning. I also wish to thank my colleagues here in the United Nations Support Mission in Libya (UNSMIL) for facilitating the mission.

This morning, my team and I had the honour of engaging with victims of Tarhuna. Two years ago, I met them in Tarhuna itself. I spoke to them, and they spoke very candidly and movingly about their experiences and what they had suffered. I walked in the areas where their loved ones were tortured and killed, heard the accounts of calculated cruelty and went to locations that became mass grave sites, where their bodies were dumped after their lives were snuffed out. Today, one individual said something very simply, something that was very true: that every household in Tarhuna has a victim. Every person that detailed a loss has suffered an

end to their universe, and heartbreak was palpable and sincere even as they, in very dignified terms, expressed their sorrow, but also their expectations of us, of the Council and of Libya itself. And what was clearly expressed was a demand: for all the moving accounts, they have a steely determination and a clear conviction that justice, accountability and fair processes are essential for them, their families, their community and for Libya at large. And I think that that realization of movement also gave rise to renewed hope that things are moving in a direction away from talk to action and the possibility of justice that they can feel and see and be part of.

As detailed in the written report that we have placed before the Security Council, on 4 October of this year, the respected judges of Pre-Trial Chamber I unsealed the warrants for the arrest of six individuals from the Al-Kaniyat armed group whom we say are responsible for many Rome Statute crimes committed in Tarhuna. And through independent investigations, the excellent work of the team and ever-improving cooperation with the Libyan authorities, we have uncovered and identified evidence of war crimes, including murder, outrages of personal dignity, cruel treatment, torture, sexual violence and rape, which were committed, we say, by the six individuals in Tarhuna.

In that profoundly moving meeting with victims themselves — mothers and fathers, siblings — who had lost family members, we saw not only the determination I referenced, but a demand to me, that I use this microphone, this platform, which I have been honoured to be given to speak to the Council. It was a demand to speak in their name, not in my own, to convey to the Council their clear message, which was that they are pleased with the warrants, but that what they want, what they are pleading for, what they are demanding is the Council's help with the arrests of those individuals and to ensure that there are trials that they can be part of — trials in which they can give evidence and speak for the violations that they have endured and for the family members they have buried or the family members they are in search of who are missing and whose bodies have not been identified or located.

Through my Office's tracking activities and its liaison with the Attorney General's Office, we have identified a number of those individuals subject to the warrants of arrest. We know where they are. What we need, as the victims have asked for, is the Council's assistance to ensure that the judicial orders of the

International Criminal Court and those of the Pre-Trial Chamber are executed and for those individuals to be arrested and brought to take part in fair, independent and impartial trials. I stand ready to work with everybody — the Government of Libya, the people, communities and authorities in the north, south, east and west of Libya, the members of the Council obviously and State and non-State parties alike — to ensure that those victims' expectations can be realized. I think that there is a glimmer of hope in the darkness for the people of Tarhuna, and through the visit over the past two days, I think that we have also seen a new paradigm shift in the nature of the progress that is possible. Progress is discernible and can be identified.

Across the key lines of inquiry relating to this situation, we are also moving at speed regarding the investigations into detention facility crimes, crimes relating to the 2014–2020 period. I can confirm and alert the Council to the fact that we anticipate that in the next reporting period there will be further applications for warrants for the arrest of individuals relating to those inquiries. Some applications may be secret and *ex parte* if there are arrest opportunities. But we are also continuing to engage with other national authorities, including the joint investigative team referenced in the report, to ensure that we can support domestic accountability efforts equally, including in relation to migrants in Libya. I can confirm that we remain on track in implementing the road map that I laid out in my previous briefing (see S/PV.9624), which aims to conclude the investigative stage of proceedings of investigations by my Office by the end of 2025. That is an ambitious but achievable goal. It will not happen without Libya. It is absolutely dependent on our continued, deepening partnership with the Libyan authorities. We cannot achieve it at all in isolation. It can be achieved by working together with our partners in Libya, civil society and third States.

My meetings over the past two days have reinforced my conviction that there is a window of opportunity, which requires imagination and trust if it is to be reforged and rebuilt so that we can move forward on that potential and realize it. I think, in particular, that the excellent cooperation and the excellent meeting I had with the Attorney General of Libya yesterday was truly encouraging. In fact, I think that we took some steps in our discussions to talk about the tracking of individuals, how we could build partnerships, the realization that there can and must be trials in The Hague

and also trials in Libya, my openness to Libyan lawyers and investigators appearing with us in any trials in The Hague and a willingness for my Office to support Libyan domestic processes where that is thought to be helpful and where it could add value. Indeed, there are many exciting initiatives that Libya is doing itself, including, as the Attorney General said, the intention to open a law enforcement and cybertraining centre in March 2025, and we also had discussions about how we could help to support that initiative and that centre, which could have wide implications in terms of law enforcement here in Libya.

Based on those discussions, I was delighted to confirm what the Attorney General himself made public yesterday, namely, his announcement of a new mechanism that will be established to support the coordination of actions by my Office and his in the fields of investigations, prosecutions and complementarity. Very importantly and to the great credit of the Attorney General, it was his suggestion for it to embrace other national bodies and other authorities relevant to the fight against impunity in Libya in addition to the Attorney General's Office and my Office. The new mechanism that he announced yesterday evening is therefore one that I hope has some latent potential that we can discuss, work with and speak to in our next report. I strongly welcome the initiative of His Excellency the Attorney General of Libya. In fact, just an hour and a half or so ago, members of my team came back from speaking with officials of the Attorney General's Office to follow up on some of the very good discussions we had yesterday. My team similarly continues to engage with the authorities in the east of Libya, and I wish to underline my willingness to ensure that I again visit the east of Libya on my next visit to the country.

Yesterday we had excellent meetings, as I indicated, with the President and, for the first time, with the Prime Minister of Libya. They were extremely positive. There was a real willingness to work in a new posture, a new way to move forward in new dynamic partnerships. The President also deserves great credit for appointing a new Ambassador of Libya to the Kingdom of the Netherlands, who has also been significantly helping the issuance of multiple entry visas and facilitating more responsively requests for assistance and cooperation from members of my team. I think that at the heart of those discussions lies a realization that trials in The Hague are a product of partnership. They should be seen as a common endeavour demonstrating Libya's real

efforts to work for the people of Libya, a willingness to embrace the work and people of my Office and my Office's willingness to work with and serve the people of Libya and to work with the authorities, as well as the idea that those are not binary choices — it can and must be seen as a collective success, demonstrating Libya's courage and the resilience of Libyans and their steadfast commitment to a brighter tomorrow. If that is etched more deeply in the narrative of discussions, I think that it will be very positive all around. In addition to the productive meetings with the senior State officials and the meetings I have already mentioned with the families of the victims of Tarhuna, the team has truly been fantastic in intensifying engagement with civil society organizations during the reporting period.

During the previous reporting period, the team met with more than 70 Libyan civil society organizations and human rights defenders to discuss their work and expectations and ensure that they are not an appendage. They are at the heart of our discussions, and we try to ensure that we are closely communicating. That itself was brought about by the leadership of the team with new processes. The team in the Libya situation has put forward a new mechanism for engaging civil society organizations every quarter. The most recent one was in September, when the head of the team, who is just out of camera range, and the team members under the leadership of Deputy Prosecutor Nazhat Shameem Khan met with the civil society organizations. There is another meeting planned for January 2025, which will be a very candid discussion of objectives, at which we talk about what we are doing and how we can work together. In addition to that, when it comes to civil society, I was pleased to note that the announcement in our policy paper published in April on complementarity and cooperation, detailing a new structured dialogue platform, has already been implemented. In fact, just last week, the inaugural session of the Office of the Prosecutor and civil society structured dialogue was held in The Hague.

The road map that we have detailed in the report has been received by some civil society organizations and partners with trepidation and some concern. The concern is regarding expectations of justice. What I have been trying to communicate, what the team has been trying to convey and what we will continue to try to explain is that we are not looking for a way to abdicate our responsibility. We are not looking for a way in the reports or briefings to close a file at any price. We are

in fact accelerating the work with clear goals and clear objectives. The acceleration that we have detailed and that we are explaining also to our Libyan partners is moving us more to a sprint. If we can achieve those goals in partnership with the authorities in Libya and civil society organizations, that will simply allow us to close the investigative stage of investigations, leading to renewed focus on arrests and trials that have to start to vindicate the Security Council's decision to refer the Libya situation to us. In the process of those trials and court proceedings, therefore, there were, maybe, many advantages for Libya, civil society, victims and the quest for greater accountability and less impunity, and that focused on the opening of other stages, as an investigative stage hopefully will close. I think that, when that is explained, that will reassure many of those individuals who have had concerns.

The position is this: two and a half years ago, I presented to the members of the Council (see S/PV.9024) what I described as a renewed approach to the situation in the hope that Security Council referrals would not be seen as never-ending stories, but would be seen by way of the investigations, trials, partnerships and complementarity to mean something to people who have been viewed as invisible, whose rights have been viewed as marginalized in their localities or regions. Six months ago (see S/PV.9624), I presented a road map for the completion of the investigative stage.

I believe that, collectively, through the combined activities, the plans are working. The hopes, expectations and steely determination of the victims need to be at the forefront of our minds. It is not straightforward. It is not easy. One cannot pretend that there are no complications. Council members and Libyans know far better than me the political difficulties, technical challenges and issues of trust that bedevil so many layers of Libyan society, as well as the relationship with international organizations, such as the ICC. But I truly believe that we are in a new place in which the authorities are willing to extend a hand, take our hand and ask for us to have new discussions that provide the possibility for new solutions to a problem that has been there for at least 30 years.

As Council members know, the truth of the matter is that, in the twenty-eighth report, while there are new applications announced in Tarhuna, Libyans know that, in the north, south, east and west, there are too many Tarhunas in Libya. There are too many people and families who have been fragmented, have suffered, are

in tears, feel unseen and want justice. But if we stand together, if we work better together, if we communicate better with each other, having conversations that are honest, respectful and humble, it is my sincere belief that there can be more space for justice and accountability that could help carve out more space for peace and reconciliation, and that also, God willing, could have the benefit of vindicating the Council's decision 13 years ago to use Chapter VII of the Charter to refer the Libya situation to my Office. I thank members very much for the opportunity to brief them once again.

The President: I thank Prosecutor Kahn for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mrs. Chanda (Switzerland) (*spoke in French*): I thank the Prosecutor of the International Criminal Court (ICC) for his briefing and the presentation of his twenty-eighth report on the situation in Libya.

We welcome the significant progress made in implementing the renewed strategy and road map aimed at completing the investigation phase by the end of next year.

Allow me to highlight three key points.

First, the progress of investigations and proceedings is central to showing that justice is on track. Switzerland is closely monitoring the work of the Office of the Prosecutor to bring the investigation phase to a successful conclusion, in line with precise goals in consultation with all those involved. The unsealing of six arrest warrants relating to the crimes committed in Tarhuna and progress in other key lines of investigation clearly demonstrate that.

Secondly, cooperation is crucial if the Court is to fulfil its Court to fulfil its mandate. We note with satisfaction the improvement in exchanges with the Libyan authorities, illustrated by the Prosecutor's current visit to Libya and various high-level meetings. Capacity-building must also continue beyond the investigation period.

Thirdly, we emphasize the crucial role played by civil society in the fight against impunity. We support the Office's increased engagement with civil society organizations and the establishment of a structured engagement mechanism. However, we express our

serious concern about the shrinking civic space in Libyan society, not only for civil society organizations but also for millions of women and girls.

The Court can fulfil its mandate only if it enjoys unwavering support. We reaffirm our steadfast support for the Court as an independent and impartial judicial institution. We pledge to continue to meet our cooperation obligations under the Rome Statute and call on all States to do the same. We reiterate our commitment to upholding the principles and values enshrined in the Rome Statute and to safeguard its integrity, undeterred by threats or measures taken against the Court and those who cooperate with it. We call on all States to refrain from pressure of any kind on the Court and its officials. We recall that attacks on the administration of justice are prohibited by the Rome Statute.

In conclusion, we recall what Libyan civil society representative Hala Bugaighis said to the Council a month ago:

“there can be no peace in Libya without justice, particularly for the women who were killed while standing up for their rights.” (*S/PV.9743, p. 5*)

In fulfilling its mandate, the ICC plays a decisive role in achieving lasting peace and reconciliation. It is our shared responsibility to ensure that it can deliver effective justice to all victims.

Mr. Mikanagi (Japan): I thank Prosecutor Khan for his briefing from Tripoli on the twenty-eighth report on the situation in Libya. I welcome Ambassador El-Sonni, Permanent Representative of Libya, to today's meeting.

Japan has been proactively working on the situation in Libya as Chair of the Committee established pursuant to resolution 1970 (2011), concerning Libya, as well as the International Criminal Court (ICC) co-focal point at the Security Council, together with Switzerland, over the past two years. We have been closely monitoring the situation in Libya, as it has significant ramifications for peace and security in the region. In that context, we note with concern the recognition in the report that crimes linked to the situation in 2011 have been continuing. Those crimes must stop.

The activities of the Court in Libya should have a tangible impact on holding perpetrators accountable and preventing further violence. In that regard, we welcome the ongoing investigation by the ICC in Tarhuna, including the recently unsealed arrest warrants

for six suspects. As for the arrest of alleged smugglers involved in crimes affecting migrants, we have seen encouraging progress in effective cooperation with national authorities of third countries.

Japan welcomes the Court's road map to the completion of the investigative phase by the end of 2025. The implementation of outstanding arrest warrants for trial is critically important to achieving that goal and sends a clear message against impunity. Cooperation by the Libyan authorities to provide information continues to be key to ensuring arrest. We are pleased to hear of the recent positive cooperation by the Libyan authorities referenced in the report, which is an obligation under resolution 1970 (2011).

We also welcome the Court's approach that a judicial and complementarity track will proceed in parallel. On the judicial track, ensuring accountability for the people of Libya in the transition process is obviously crucial. For the complementarity track, there remain some challenges that require further assistance, such as some criminals remaining outside the prosecutorial reach of the competent Libyan authorities and detaining suspects of serious crimes for prosecution.

Japan appreciates the Court's continued engagement with the affected communities, including through civil society. In that regard, we support the ICC's effort to establish a field presence in Tripoli, while giving careful consideration to any impact on the budget, and hope that that enhanced presence will help improve the capacity of the Libyan authorities as well as deepen people's understanding of the ICC's complementarity activities. Such an initiative will help bring justice and deter further serious crimes.

Before concluding, Japan reiterates the importance of justice under the rule of law. The activities of the Court in Libya to fight against impunity should serve not only the victims of past crimes but also future generations, by helping to ensure justice for all and deter further serious crimes. We strongly hope that those activities will also promote respect for human rights and human dignity in the long run. Japan always stands ready to support the ICC in fulfilling its critical role.

Mr. Dai Bing (China) (*spoke in Chinese*): I listened carefully to Prosecutor Karim Khan's briefing, and I welcome the Permanent Representative of Libya to today's meeting.

China has been closely following the investigation conducted by the International Criminal Court (ICC) in relation to Libya. China welcomes the continued good cooperation between the Libyan authorities and the Office of the Prosecutor, as mentioned in the Prosecutor's report. China hopes that the ICC will strictly follow the principle of complementarity set out in the Rome Statute, fully respect Libya's judicial sovereignty, accommodate Libya's legitimate concerns and maintain close communication and cooperation with the Libyan authorities.

The key as to whether or not the ICC can gain the trust of the countries concerned and that of the international community lies in its ability to uphold judicial justice. We hope that the Office of the Prosecutor will maintain its independence, impartiality and objectivity, ensure that the investigation in relation to Libya is free of political interference and safeguard the authority and impartiality of justice.

The Libyan issue has been ongoing for more than 13 years now. Libya's political process is still at a deep impasse, and its security situation remains fragile. Only by helping Libya achieve peace and stability as soon as possible can justice and the rule of law be guaranteed.

The international community should adhere to the Libyan-led and Libyan-owned principle, support the Libyan parties in strengthening dialogue and consultation, resuming political negotiations as soon as possible and establishing a unified national institution, while respecting the sovereignty and territory integrity of Libya and avoiding the imposition of external solutions. The relevant work of the ICC should help the Libyan parties to strengthen their unity and solidarity and avoid amplifying their disagreements and differences.

At the same time, the ICC's jurisdiction over Libya should not be indefinite. In the long run, it is crucial to support Libya in fighting impunity and strengthening judicial justice on its own. The international community should pay attention to the practical difficulties Libya is currently facing and provide more constructive assistance to Libya in strengthening its own judicial capacity-building and judicial authority.

I wish to reiterate that China's position on the ICC remains unchanged. China supports the maintenance of international peace and security by punishing the most serious international crimes. China hopes that the ICC will adhere to non-politicized and uniform standards,

apply international law on an equal footing and play a constructive role in addressing other hotspot cases at the international and regional levels.

Ms. Zabolotskaya (Russian Federation) (*spoke in Russian*): First of all, I would like to express my reservations about the briefing by the so-called Prosecutor of the International Criminal Court (ICC). We see no benefit for the Security Council in listening to Mr. Khan. We do not consider him to be an independent Prosecutor. His reports are devoid of content and designed to obscure the real situation on the ground. He is currently being investigated on allegations of sexual harassment against a young female colleague. In such circumstances, as an international civil servant, Mr. Khan should suspend the execution of his functions. However, he has not done so. He believes that he has the right to brief the Council, which speaks eloquently about what exactly is taking place in this pseudo-court.

We would like to recall that, until recently, Mr. Khan headed another international body, the United Nations Investigative Team to Promote Accountability for the Crimes Committed by Da'esh/ISIL in Iraq. That group wrapped up its activities in inglorious fashion, having spent a considerable amount of United Nations money and failing to provide the assistance to Iraq that its mandate required. Nonetheless, Mr Khan came to New York regularly and appeared before the Council to report on what had supposedly been accomplished. We now see a similar situation with the ICC's activities in relation to Libya. Today we are supposed to consider yet another vacuous report — the twenty-eighth — which still fails to answer the main questions, namely, what has been done to implement the Council's instructions in resolution 1970 (2011), why they have not been implemented and who bears responsibility for that. Instead, the Prosecutor is reporting about the successful implementation of a road map that the Council did not ask him to draw up or follow.

In characteristic fashion, Mr. Khan not only fails to follow the Council's instructions but also acts contrary to them. For example, we have learned from the report that the ICC has been investigating current events in Libya. The recently unsealed arrest warrants against six individuals confirm that, absent any decision from the Council, the ICC has proceeded with carrying out its own plans. We recall that Libya is not a party to the Rome Statute. The Security Council has not referred any new events or situations in Libya

to the ICC. Attempts by that pseudo-court to expand its own jurisdiction have no basis. They amount to plain arbitrariness. Nonetheless, it has long been the norm for the ICC to sacrifice legal considerations, and even logic, to political expediency.

However, even at the ICC, there are some who realize that Security Council resolutions cannot be ignored. Thus, Judge Socorro Flores Liera, in her dissenting opinion, pointed to her colleagues' extremely expansive interpretation of the mandate given to the ICC on the basis of resolution 1970 (2011). She rightly disagreed that the events in Tarhuna in 2019 and 2020 formed part of the armed conflict that had started in Libya in 2011. Indeed, the rationale of the Prosecutor and the Judges who granted his application is deeply flawed. It allows the continued sabotaging of the investigation into the events within the ambit of the situation referred by resolution 1970 (2011).

For example, the Court has done nothing to find those who are responsible for brutally killing Mr. Muammar Al-Qadhafi with the help of NATO forces or to punish those Western soldiers whose actions led to numerous civilians' deaths. At the same time, for some reason, the Court considers itself entitled to deal with any other events in Libya, even if they took place 10 years later. Incidentally, the resolution referred to suspected crimes against humanity, whereas the new arrest warrants bring charges of war crimes, to which the resolution makes no reference. However, the pseudo-court ignores not only Security Council documents but also the rules of international law, including those that form the basis of multilateralism, underpin the United Nations and form part of the Charter of the United Nations. No one ever conferred such powers on that institution. The ICC, mired in politicization, double standards and corruption, has no bearing on the fight against impunity. That is becoming apparent to a growing number of States, as the recent vote in the General Assembly on the ICC's annual report makes clear. Not even all the parties to the Rome Statute were prepared to support cooperation with that pseudo-legal entity. There can therefore be no talk of universality. The ICC is simply a treaty body with a limited number of parties and entirely separate from the United Nations.

It is clear that the ICC has not helped to resolve the internal Libyan conflict. On the contrary, its insistence on pushing a political agenda in relation to the Libyan and other situations is an obstacle to achieving lasting reconciliation on the basis of a nationwide consensus

among all political forces. In that connection and in the light of the ICC's unacceptable disregard for the Council's decisions, we believe that it would be right to withdraw both the Libya and the Darfur situations from the Court. The fight against impunity should be entrusted to those who are capable of the task, namely, national judicial authorities, which, in this instance, are those of Libya.

Mr. George (Sierra Leone): I thank Mr. Karim Khan, Prosecutor of the International Criminal Court, for his informative briefing and for presenting the twenty-eighth report of the Prosecutor on the situation in Libya, as mandated by resolution 1970 (2011). Sierra Leone commends the Prosecutor and his Office for the commitment to transparency and accountability and for the diligent and consistent efforts over the past six months.

I welcome the participation of the Permanent Representative of Libya in this meeting.

Sierra Leone reiterates its prioritization of accountability as a means to reinforce the protection of civilians in situations of armed conflict, to ensure respect for fundamental human rights and to end impunity for atrocity crimes. Regarding the Prosecutor's twenty-eighth report, we would like to emphasize the following five points.

First, we acknowledge with great appreciation the significant progress accomplished under the renewed strategy, including its current focus on the road map towards completing investigative activities for addressing the situation in Libya. That progress includes notable milestones such as the unsealing of six arrest warrants related to the crimes that occurred in Tarhuna. Those steps are crucial to our collective objective of completing investigative activities by the end of 2025. We believe that the target is attainable and are confident that we are making significant progress towards achieving it. Also, the commitment to accelerating progress across various key lines of inquiry and the enhanced engagement with civil society partners further underscore the commitment of the Court and the Office of the Prosecutor's to justice and accountability — an approach we support.

Secondly, we commend the improved cooperation between the Office of the Prosecutor and the Libyan authorities, as exemplified by the recent productive meeting between the Prosecutor and His Excellency Mr. Mohamed Younis Al-Menfi. Today's briefing by the Prosecutor from Libya marks the second time

that the Council has been briefed from Tripoli and constitutes a significant stride in diplomatic relations and operational effectiveness. In addition, we note with gratitude the vital support that the Embassy of Libya to the Netherlands has extended, particularly in facilitating visas and travel logistics for the investigative teams.

Thirdly, we welcome the enhanced collaboration with civil society organizations, which is an essential component of our collective efforts. Over the reporting period, the Office of the Prosecutor engaged with more than 70 civil society organizations and human rights groups, leading to the establishment of a mechanism for structured engagement on Libyan matters. That strategic engagement, we believe, has bolstered the capacity of the Office of the Prosecutor to provide much-needed psychosocial support to victims and witnesses, ensuring that not only are their voices being heard but also that their needs are being addressed.

Fourthly, we applaud the Office of the Prosecutor's commitment to a victim-centred approach, particularly through outreach to affected communities, civil society organizations and non-governmental organizations. We strongly support the Office of the Prosecutor's ongoing work to protect witnesses and expand efforts towards victim support. We further encourage the international community to increase resources for victim-centred programmes to bring solace and support to survivors of human rights abuses in Libya.

We are cognizant of the Court's challenges in Libya, including the complex political landscape. We remain committed to the view that a sustainable solution to the crisis in Libya will ultimately require a political resolution. We urge all Libyan stakeholders to engage in good-faith dialogue and work towards a unified vision for peace. Accountability for grave crimes is a vital component in the journey to lasting peace, as justice serves not only as a deterrent but also as a foundation for reconciliation. We therefore call on the Council and all States involved to support Libya's political transition and efforts to build institutions that uphold justice and respect for human rights.

Similarly, we recognize the indispensable necessity for the Office of the Prosecutor to receive adequate resourcing and staffing to sustain its important work. In that vein, we welcome the Office's request for additional resources from the Assembly of States Parties to address the unprecedented intensity of its investigative activities. The secondment of national

experts has proven to be significantly beneficial, and we welcome further contributions of expertise to enhance the Office's efforts in Libya. For our part, we will continue to support those endeavours with unwavering commitment to justice and the rule of law.

Our final point is that we are reminded of the importance of protecting the Court, its personnel and all individuals cooperating with the Court from any form of threat or intimidation. We condemn any act of harassment or hostility directed towards the Court and underscore the need for international cooperation to safeguard the Court's impartiality, independence and mandate. Any attack on the Court or its officers represents an attack on the rule of law and the collective commitment to international justice. In that regard, we reaffirm our unwavering dedication to upholding and defending the principles enshrined in the Rome Statute and ensuring that the Court's integrity remains steadfast, despite the increasing threats of unilateral sanctions or actions taken against it or its supporters.

We believe States should have a primary responsibility to deliver justice and accountability to their people. If they lack the capacity or resources, we encourage cooperation with international partners in that endeavour. In that regard, we reaffirm our support for the people of Libya in pursuing accountability and justice within the broader framework of the peace process.

We also reiterate the application of the principle of complementarity, emphasizing its integral role in combating heinous crimes and fostering bilateral engagement between the Court, Libyan authorities, neighbouring States and civil society groups in Libya.

In conclusion, Sierra Leone reaffirms its full support for the International Criminal Court. We reassure the people of Libya of our support and reiterate our commitment to the sovereignty, independence and territorial integrity of Libya. Recognizing the importance of working together for justice, we are fully committed to continuing to play an active role in that shared endeavour.

Mr. Buanahagi (Mozambique): I wish to thank Mr. Karim Ahmad Khan, Chief Prosecutor of the International Criminal Court (ICC), for the presentation of the twenty-eighth report on the situation in Libya. We welcome the presence of the Permanent Representative of Libya in this meeting.

As we stated before, ensuring accountability for the most serious crimes under international law is essential for the maintenance of international peace and security. Those responsible for serious violations of human rights and international law, including international humanitarian law that occurred in Libya, must be held to account. The victims of the horrendous crimes that have been committed in Libya since 2011 deserve justice.

We took note of the twenty-eighth report of the Prosecutor of the ICC in the implementation of resolution 1970 (2011), which referred the situation in Libya to the ICC. In that connection, we welcome the progress made by the Office of the Prosecutor with regard to the various lines of inquiry defined during the reported period, as well as the outcomes outlined in the report under consideration.

We also consider the planning on the establishment of the Office of the Prosecutor in Tripoli a significant step in accelerating the implementation of the road map for completing the investigative phase in Libya. That development is particularly relevant given the complex and evolving situation in the country. The transition from the investigative phase to the judicial phase, set out in the road map, is an important step towards the conclusion of the cycle of accountability. It represents a beacon of hope for those seeking justice. In that connection, we welcome the continued implementation of the renewed strategy of the Office of the Prosecutor, aimed at the realization of the road map to complete the investigative phase by the end of 2025. We hope those outlined new developments will bring tangible results in relation to the accountability process in Libya.

It has been 13 years since the Security Council referred the situation in Libya to the ICC. The cycle of justice needs to be completed; victims' and survivors' long quest for justice must be fulfilled.

We are mindful, however, that justice alone cannot resolve the long-standing complex situation in Libya. A political solution to overcome the prolonged stalemate is essential. An inclusive agreement on electoral laws between Libya's divided Government is a matter of urgency. National elections need to be held to pave the way to stability and prosperity in the country.

The engagement of the Office of the Prosecutor with Libyan authorities, outlined in the report, including the high-level meetings that the Prosecutor just mentioned in his briefing, represent a positive step in the quest for

truth, justice and reparation. In particular, the planning on technical assistance and capacity-building for Libyan law enforcement and judicial sectors, including those related to witness protection, is commendable.

In the same vein, we are optimistic with regard to the expected issuance of multiple-entry visas by the Libyan authorities to the members of the Office of the Prosecutor team, given its importance to the fulfilment of the Prosecutor's mandate, pursuant to resolution 1970 (2011). We therefore encourage the Office of the Prosecutor and the Libyan authorities to continue working in partnership, in line with the principle of complementarity enshrined in the Rome Statute. We strongly believe that bringing the perpetrators of heinous crimes to justice will contribute to the restoration of peace and national reconciliation in Libya.

In conclusion and being this our last statement on this agenda item during our tenure on the Security Council, I would like to seize this occasion to reaffirm Mozambique's unwavering support for the efforts of the Prosecutor and his team in their pursuit of justice in Libya. Our commitment is driven by the belief that justice is fundamental to achieving lasting peace, security and prosperity in the region.

Mr. Fournel (France) (*spoke in French*): I would like to thank Prosecutor Karim Khan for presenting his twenty-eighth report to the Security Council pursuant to resolution 1970 (2011).

The International Criminal Court is the only permanent international criminal court with a universal remit. Charged with judging the perpetrators of the most serious international crimes, it plays an essential role in the fight against impunity. France will continue to support the essential work of the ICC as a priority of our diplomatic action. We reiterate our full support for the Court and its staff, who must be able to exercise their prerogatives without pressure, hindrance or obstruction.

The Office's new strategy on the situation in Libya, presented in April 2022, is bearing fruit. That strategy has accelerated progress on the four main lines of investigation and has enabled progress to be made. The 18 missions carried out in seven countries and the 1,200 items of evidence collected are proof of that. My delegation welcomes the unsealing of six arrest warrants in connection with the crimes committed in Tarhuna, which highlights the work that has been done. France takes note of the next steps envisaged by the Office

with regard to new requests for the issuance of arrest warrants and the transition to the judicial phase before the end of 2025 at the end of the investigation phase.

France welcomes the efforts made on behalf of victims during the reporting period to ensure that they are consulted and integrated into the Office's investigation strategy. The Court's mandate can be fulfilled only if it includes support for victims through medical and psychosocial assistance. It is important that support for victims continues after the completion of the investigation phase in 2025. My delegation notes the increased cooperation with civil society organizations, with the Office having met with over 70 of them during the reporting period.

Continued and intensified cooperation with the Libyan authorities, while respecting the principle of complementarity, is important. In line with its request in May, France takes note of reports of some improvement, in particular with regard to the granting of multiple-entry visas to members of the Prosecutor's Office. We encourage the Libyan authorities to continue cooperating with the Office on access to information in preparation for the judicial phase, collaboration with the competent technical authorities and requests for assistance made by the Office. We note the Office's intention to establish a liaison office in Tripoli as a matter of priority and reiterate our support for that approach. France regrets that the security situation in Libya continues to hamper the Office's activities.

It is important that the Court have adequate financial and human resources, even beyond the situation in Libya. France takes note of the Office's request to the Assembly of States Parties for additional resources. France reiterates its appeal to all States parties to the Rome Statute to pay their mandatory contributions to the Court's budget on time and in full.

France reiterates that the most serious crimes committed in Libya since 2011 must be investigated and prosecuted, including crimes committed by Da'esh and crimes against migrants and refugees, to which the report continues to refer. That is how the ICC can contribute to the goal of a sovereign, united, stable and democratic Libya.

Mr. Cho (Republic of Korea): I thank Prosecutor Karim Khan for his comprehensive briefing from Libya. I also welcome the Permanent Representative of Libya to this meeting.

Thirteen years have passed since the situation in Libya was referred to the International Criminal Court (ICC), yet the Libyan people continue to suffer from severe violence and a dire humanitarian crisis, while the long-awaited political process remains stalled.

Complementarity is a key principle to ending impunity under the Rome Statute. However, the role of the ICC in helping ensure accountability in Libya is essential, and restoring justice will ultimately contribute to long-term peace and stability in Libya. In that regard, I would like to make three brief points.

First, I commend the progress made by the ICC in its four key lines of inquiry, particularly the issuance and unsealing of six arrest warrants related to the crimes in Tarhuna. Those warrants, which were unsealed on 4 October, are based on credible information and mark a crucial step in responding to the victims' calls for justice. We also endorse the ICC's efforts to support victims during that process, which have demonstrated the potential for restorative justice. The focus now must be on ensuring that those warrants lead to arrests. We therefore call upon the Libyan authorities and the other relevant countries to actively cooperate to secure the surrender of suspects.

Secondly, we welcome the progress in cooperation with the Libyan authorities, including the issuance of multiple-entry visas for investigators. In particular, the meetings held between the Prosecutor and high-level Libyan officials and the subsequent meetings among key officials have played a significant role in advancing that cooperation. Despite recent positive trends, we encourage Libya to fulfil its obligations under resolution 1970 (2011) to cooperate fully with the ICC by providing information in a timelier manner.

Furthermore, we emphasize that active cooperation with the ICC is crucial for enhancing Libya's judicial capacity and will be the basis for future proceedings. The forensic technology, fugitive tracking and complex investigative methods gained through that cooperation will help ensure accountability under Libyan jurisdiction, even after the road map is finalized. Establishing a liaison office in Tripoli will be an important avenue to enable close and effective cooperation with the ICC.

Thirdly, we acknowledge the critical role played by civil society in bridging the gap between victims and the ICC, as well as their contribution to evidence collection. We commend the ICC's engagement with

over 70 civil society organizations during the reporting period. However, we are concerned about the restrictions placed on civil society, particularly those limiting their engagement with international organizations, including the ICC. Cooperation with civil society is crucial for the credibility and effectiveness of the investigation. The achievements thus far have shown that such cooperation has been instrumental in advancing the investigation. We hope that the Libyan authorities will ensure the safety of civil society and guarantee them space without hindrance.

In conclusion, Korea, as a staunch supporter of the ICC, reiterates its full support for the Court's work in implementing the road map successfully. We also commend the efforts of the United Nations Support Mission in Libya in actively supporting that process. We hope that, through those collective efforts, justice and peace will be delivered to the people of Libya.

Mr. Escobar Ullauri (Ecuador) (*spoke in Spanish*): I thank Prosecutor Khan for his briefing and welcome the Permanent Representative of Libya.

The fact that the Prosecutor is participating in this meeting from Libya is a positive sign of the level of cooperation that his Office maintains with the Libyan authorities, which is vital for the completion of the investigative activities envisaged in the road map as well as for laying the foundations for a permanent relationship within the framework of the principle of complementarity.

Ecuador hopes that the strengthening of cooperation between the Office of the Prosecutor and the Libyan authorities will make it possible to provide information that can support investigations and the arrest of individuals subject to arrest warrants. Enhanced cooperation should also translate into technical assistance to the Libyan police and judiciary in order to strengthen the capacities they require to carry out their investigative and prosecutorial work.

My delegation is aware of the complex operational, political and security environment in which the Office of the Prosecutor operates, and we therefore acknowledge the progress that has been made in the implementation of the renewed investigative strategy. Such progress includes the issuance of six arrest warrants against those allegedly responsible for the crimes committed in Tarhuna, and the acceleration of progress on the four main lines of investigation established by the Office of the Prosecutor. I also wish to highlight the expansion of contacts with witnesses,

affected communities, victims' associations and other civil society organizations, aimed at ensuring that their voices are heard in the investigations.

Ecuador is confident that those actions, together with cooperation with third States and international organizations, and increased efforts in terms of the arrest strategy, tracking of fugitives and preservation of evidence, will achieve the goal of a transition to the judicial phase before the end of 2025. To that end, the Office of the Prosecutor must have sufficient resources to deal with what is a time of unprecedented intensity in the lines of inquiry.

As this is the last occasion on which Ecuador is participating in a meeting on a report of the Prosecutor of the International Criminal Court as a member of the Council, I express my country's firm belief in the potential of the referral of situations to the Court to combat impunity. More than 13 years after the adoption of resolution 1970 (2011), it is time to obtain concrete results and to demonstrate to victims that the International Criminal Court is one of the pillars in the fight against impunity at the international level. We must not forget that impunity undermines efforts to resolve conflicts and perpetuates cycles of violence. Accountability for crimes committed in Libya is therefore key to reconciliation among the Libyan parties and the underpinning of a lasting peace.

In conclusion, I reiterate Ecuador's unwavering support for the International Criminal Court.

Mr. Simonoff (United States of America): I would like to thank Prosecutor Khan for his briefing to the Security Council on the Office of the Prosecutor's work on the situation in Libya. We are pleased that he is able to brief us virtually from Tripoli.

The International Criminal Court (ICC) plays an important role in the international system of justice, and its work in Libya supports our collective pursuit of accountability, peace and security. The United States commends the remarkable dedication of the Court's staff and the continued efforts to investigate and prosecute those responsible for the heinous atrocities committed against the Libyan people and individuals who find themselves on Libyan territory since February 2011.

We welcome the recent unsealing of six arrest warrants for leaders of, and local officials associated with, the Al-Kaniyat militia. Those individuals are charged with war crimes, including murder, torture,

cruel treatment, sexual violence and rape, in relation to horrific events in the city of Tarhuna in 2019 and 2020. After the withdrawal of the militia from Tarhuna in 2020, many of us remember the unearthing of mass graves of hundreds of victims on the outskirts of the city. That was a glimpse into the egregious abuses committed by the militia and those who collaborated with it. The arrest warrants represent significant strides in pursuing accountability for the most atrocious crimes committed in Libya and in sending a message to victims that they are not forgotten. The United States encourages those with knowledge of the suspects' whereabouts to work with the ICC and the Libyan authorities, as appropriate, to bring them to justice.

The Prosecutor's most recent report reflects progress in other key areas over the past six months. The various investigative and cooperative activities undertaken by the Office of the Prosecutor have strengthened the foundations for accountability amid ongoing political security and resource challenges. Those activities include conducting two missions to Libya in order to further collaborate with the Libyan authorities, sharing information and evidence to directly support five other national law enforcement agencies and deepening its engagement with multitudes of civil society partners. We commend the Office on advancing progress across the other lines of inquiry, deepening its efforts to preserve evidence and aiming to commence at least one trial before the end of 2025.

As the Office concludes its investigative efforts and transitions towards the judicial phase, we appreciate its commitment to vigorously implementing the ICC's Libya strategy and road map. Impunity must be ended for the leaders of the violent migrant smuggling networks on the central Mediterranean route. We are pleased to see an upgraded vision of investigations and prosecutions, in particular with regard to financial investigations.

The United States applauds the Libyan authorities for supporting progress towards the completion of investigative activities. We are pleased that the Libyan authorities welcome training sessions on investigating and prosecuting international crimes, and we encourage future collaborative efforts to bolster forensics and other investigatory modalities.

We encourage the Libyan authorities to do more to support global accountability efforts and to enhance cooperation with the ICC, including providing

information to States investigating crimes committed in Libya and ensuring that all those subject to arrest warrants face justice expeditiously. In that regard, we call upon the Libyan authorities to ensure that all those subject to outstanding ICC arrest warrants, including former senior officials of the Al-Qadhafi regime, face justice. We urge Libya's continued cooperation in abiding by resolution 1970 (2011) and all aspects of the current investigations, including by supporting the establishment of a field office in Tripoli.

The United States commends civil society, human rights defenders and victims' associations for carrying the torch of justice in Libya. We applaud the commitment of the Office of the Prosecutor to proactively hold regular meetings with such groups to hear their views and concerns, while practicing trauma-informed approaches. The United States urges the Libyan authorities to take into account the perspectives of survivors and civil society organizations in Libya, who have waited far too long to have a seat at the table. Building a stable and prosperous Libya requires facing the injustices of the past head-on. That requires the Libyan authorities to implement stronger means of witness protection, invest further in psychosocial support during and beyond trial proceedings and lift restrictions on civil society, the backbone of the justice process.

Resolving political instability and promoting accountability will go a long way towards addressing the chronic cycles of violence in Libya, including the mobilization of armed groups. A critical step towards fostering stability and peace is the immediate withdrawal of all armed groups and mercenaries from Libya, in line with resolution 2656 (2022) and the October 2020 Libyan ceasefire agreement. It is long past time to break the cycle of impunity that has fuelled this prolonged conflict and to empower the Libyan people in their pursuit of a peaceful and prosperous future. The people of Libya deserve stability and justice, and we support the International Criminal Court's effort to help bring justice to the people of Libya.

In conclusion, we must all support international justice and the promotion of accountability for violations of international humanitarian law and violations and abuses of human rights. The work of the International Criminal Court is vital to that mission, and we welcome the ICC's continued efforts in pursuing justice for the victims of atrocities in Libya and in many other situations. While the ICC is not without flaws, its work must continue to be supported in the years to come.

Mr. Bendjama (Algeria): We listened attentively to the briefing of the Prosecutor of the International Criminal Court (ICC), and we took note of his report on the progress made since May 2024, six months ago. We welcome the participation of the Permanent Representative of Libya in our debate.

Algeria's stance is grounded in the following three principles — the sanctity of justice, Libya's sovereignty and the imperative of regional stability.

First and foremost, Algeria vehemently condemns all acts of violence, regardless of who the perpetrators or victims are. As a friendly and neighbouring country with profound historical ties to Libya, Algeria observes the ongoing crisis with deep concern. Let me recall that the current crisis in Libya is indeed a direct consequence of an unfortunate decision taken by the Security Council in 2011. Yes — the international community bears collective responsibility and has a huge debt to the Libyan people.

The devastating toll on the Libyan people and institutions demands both our immediate attention and our sustained engagement. Algeria calls on the international community to maintain its support for Libya's sovereignty and territorial integrity, while ensuring that justice is pursued in a manner that contributes to, rather than detracts from, those essential objectives. Libya does not need any more lectures or instructions; it needs the Council's help and cooperation.

Furthermore, Algeria reaffirms its unwavering commitment to supporting all efforts aimed at achieving peace, stability, and reconciliation in Libya. Regarding today's deliberations, I would like to emphasize the following points.

First, the International Criminal Court must adhere strictly to the principle of complementarity, while maintaining its independence and impartiality and respecting Libya's judicial sovereignty. The ICC should complement the work of the Libyan judiciary, and not serve as a substitute. We firmly believe that the primary responsibility for justice and accountability lies with the States concerned themselves. A robust and independent judiciary is necessary for Libya's long-term stability and the pursuit of justice. To that end, the international community must provide targeted support to strengthen Libya's national judicial capacity. By empowering Libya's judiciary, we can ensure a more effective and robust justice system that fosters public trust and strengthens the rule of law.

As the Prosecutor's Office works to conclude its investigative phase by the end of 2025, it is imperative that its judicial processes contribute to Libya's unity and territorial integrity. Justice must serve as a unifying force, strengthening solidarity among all Libyans, and the International Criminal Court must ensure that its actions do not exacerbate existing divisions or tensions in the country. The emphasis by the ICC that the Court's legitimacy rests on its dedication to impartiality and the rigorous pursuit of justice means that its verdicts must emerge from meticulous analysis of evidence and not be dictated by political pressure or agendas.

Let me conclude by talking about Gaza and Palestine. We call on the International Criminal Court to fully exercise its mandate by urgently issuing arrest warrants and starting its prosecution of war criminals in the Middle East — in Palestine and in Israel. The ongoing atrocities and widespread suffering in Palestine, especially in Gaza, and indeed across the region, demand nothing less than comprehensive and immediate action. The world is watching. The ICC's resolve in addressing those violations will be a defining metric of its credibility. This is a moment for the Court to prove that it is not a tool wielded selectively against certain nations, but an impartial institution committed to the universal principle of accountability. There must be no room for double standards in our pursuit of a just world.

Mrs. Blokar Drobič (Slovenia): I would like to thank Prosecutor Khan for his briefing on his report. I also welcome the Permanent Representative of Libya to today's meeting.

I will start by reiterating Slovenia's strong and unwavering support for the International Criminal Court (ICC) and for the work of the Prosecutor. The ICC needs to be able to carry out its mandate independently, impartially and without outside pressure. Threats or sanctions against judicial institutions or against its officials are unacceptable. It is crucial for that message to also be conveyed by the Council.

I would like to make a few points regarding the Prosecutor's most recent report on the situation in Libya.

We welcome the significant progress made in the investigation and in the implementation of the renewed strategy, especially with regard to crimes related to the 2014–2020 operations and crimes against migrants. That progress is also demonstrated by the recent public release of arrest warrants issued last year in relation

to crimes committed in Tarhuna. We welcome the continued and enhanced engagement of the Prosecutor with victims' associations and civil society. A victim-centred approach and ensuring protection and support empowers survivors and is extremely important for Libyans and for migrants who have suffered the most atrocious crimes.

We note and welcome positive developments in the Prosecutor's engagement with the Libyan authorities, and we encourage the latter to continue to strengthen their cooperation with the Prosecutor, in line with resolution 1970 (2011). We commend the efforts made by the Prosecutor regarding cooperation with third States and the cooperation with the joint team in investigating crimes against migrants.

It has been 13 years since the Security Council referred the Libya situation to the International Criminal Court. The investigation is now near completion, several arrest warrants have been issued and the judicial phase is expected to start next year. The progress made is very encouraging for our fight against impunity.

We call for the rapid execution of all issued arrest warrants and for continued cooperation of all States with the Prosecutor, in line with resolution 1970 (2011). And we continue to call for additional resources for the Office of the Prosecutor, across all situations and, in particular, with respect to the Libya situation.

The Rome Statute has enabled the Security Council to refer a situation to the ICC. The Council was able to do so only twice, Libya being the last case. We believe that the Council should make more use of that power. The number of conflicts around the world has reached unprecedented levels; every day more and more people are faced with unspeakable atrocities. International humanitarian law is being repeatedly violated.

That is unacceptable. We cannot sit idly by. We are responsible for maintaining international peace and security. For peace, in the true meaning of the word, we need justice. And for justice, we need accountability. We need the International Criminal Court, and the International Criminal Court needs our consistent support at all times, as the fight against impunity should never end.

Mr. Micallef (Malta): I extend Malta's appreciation to Prosecutor Khan for the comprehensive report and briefing. I also welcome the Permanent Representative of Libya to today's meeting.

Accountability remains central to building durable peace and fostering justice for victims of international crimes. As we deliberate today, the progress outlined in the twenty-eighth report of the Prosecutor of the International Criminal Court (ICC) offers a sense of momentum and hope for achieving justice.

Malta commends the significant strides made by the ICC in advancing its work in Libya. The issuance of six arrest warrants related to crimes that took place in Tarhuna stands as a testament to the Office's commitment to holding perpetrators accountable. Those warrants, alongside efforts to track fugitives and preserve evidence, underscore the importance of consistent and sustained cooperation among States, Libyan authorities and the Court.

The deepened cooperation with Libyan authorities, particularly through missions to Libya, in May and October, marks a positive step forward. Such engagement is crucial to facilitating access to evidence and supporting capacity-building in the Libyan judicial system. Malta strongly supports those efforts and encourages continued dialogue and tangible outcomes.

Equally commendable is the ICC's strengthened engagement with civil society organizations, which should continue throughout the work of the ICC in Libya. The periodic consultations with victims, survivors and their families exemplify a victim-centred approach that aligns with the principles of restorative justice. Those voices are vital in shaping a justice process that addresses grievances and promotes reconciliation.

Malta also recognizes the challenges that civil society organizations face, including restrictions on their operations, and calls for measures to protect and empower them in their critical work.

Proactive collaboration with third States and regional organizations has further enhanced the Court's investigative activities. Malta welcomes the progress made in investigating crimes affecting migrants, crimes committed in detention centres and atrocities committed between 2014 and 2020. Those efforts contribute to dismantling impunity and provide a pathway for justice for countless victims.

As we reflect on the achievements highlighted in the report, we must also recognize the challenges that remain. The completion of the investigative activities in relation to the situation in Libya and the successful transition into the judicial phase of the Office's activities

prior to the end of 2025, requires sustained cooperation, sufficient resources and unwavering commitment from all stakeholders.

Malta reiterates its call on all States to fully respect the ICC's mandate, support its operations and cooperate on the arrest and surrender of individuals subject to ICC arrest warrants. We also commend the Office for its commitment to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses, beyond any eventual completion date.

The ICC has a critical role to play in addressing accountability as a cornerstone of peace and security. We believe that by strengthening partnerships, enhancing cooperation and, most importantly, placing victims at the heart of those efforts, the international community can collectively support Libya in its pursuit of justice and stability.

Lastly, we reiterate the call on all States to respect the integrity and independence of the International Criminal Court and to cooperate actively with its investigations. We underline the importance of its impartial work in combating impunity for atrocity crimes, which is ever more necessary in our world.

Ms. Persaud (Guyana): I thank the Prosecutor of the International Criminal Court, Mr. Karim Khan, for his presentation of the twenty-eighth report of his Office on the situation in Libya. I also welcome the participation of the Permanent Representative of Libya in today's meeting.

Guyana welcomes the continued implementation of the renewed strategy for the situation in Libya and the increased progress made on the road map to complete the investigative activities and to commence the judicial phase. The advancement made during the reporting period, particularly on the four key lines of inquiry, is encouraging. The unsealing of the six arrest warrants related to crimes that took place in Tarhuna was a notable development.

Guyana reiterates the critical importance of cooperation with the Office of the Prosecutor and notes the report of improved support from the Libyan authorities, including through the continued issuance of multiple-entry visas. We encourage continued cooperation, as required by resolution 1970 (2011), underscoring that this is essential for the Office of the Prosecutor to fulfil its mandate. The Office of the

Prosecutor's engagement with civil society and victim's organizations also remains vital, and we note and welcome enhanced efforts in that regard.

We also welcome the indication that the Office will continue to support Libyan and other domestic authorities post-2025 in order to achieve accountability in accordance with the two-track approach outlined in its policy on complementarity and cooperation.

The reports of continued crimes against migrants, including accounts of children in warehouses and detention centres, remain of grave concern. We are encouraged that the Office is advancing and strengthening the investigation of crimes against migrants and commend the extensive engagement with third States and international and regional organizations in that regard.

We also acknowledge the efforts of the Office of the Prosecutor to establish an in-country Office in Tripoli in order to strengthen its engagement with the Libyan authorities, survivors and the families of the victims and note that this will remain a priority in the upcoming months. We acknowledge the continued resource constraints of the Office and encourage States to continue their support in that regard.

In conclusion, Guyana commends the progress made by the Office of the Prosecutor during the reporting period, despite challenges on the political and security fronts in Libya. We emphasize that the Court, its officials and those cooperating with it must be able to operate free from threats and intimidation. The independence and integrity of the Court must be respected at all times.

Guyana reaffirms its unwavering support for the International Criminal Court.

The President: I shall now make a statement in my capacity as the representative of the United Kingdom.

Let me begin by thanking Prosecutor Khan for his briefing today and for his Office's twenty-eighth report on the situation in Libya. I also welcome the participation of the Permanent Representative of Libya in our meeting.

I will make three points.

First, the United Kingdom welcomes the progress made on the road map, as well as the Office of the Prosecutor's clear plan to ensure that it remains on track to complete investigative activities by the end of 2025.

As part of that, the unsealing of six arrest warrants in October is an important milestone. It is both a promising indicator of progress and a key step in providing justice for the victims of alleged war crimes in Tarhuna. The United Kingdom will continue to follow the plans for further arrest warrant applications with interest.

Secondly, the United Kingdom welcomes the enhanced cooperation between the Office and the Libyan authorities. We are pleased to hear of the renewed commitment from the Libyan authorities to facilitate the Office's access in-country. We encourage the Libyan authorities to ensure that key staff of the Office of the Prosecutor are issued visas, as is anticipated in the report. We share the Office's concern around the ability of the authorities to proceed with investigations in Libya given broader security concerns. It is therefore reassuring to hear that plans to open a liaison office in Libya remain a priority. We encourage continued dialogue between the Office and the Libyan authorities on that.

Thirdly, the United Kingdom welcomes the Office's continued engagement with civil society and victims' organizations; both play a critical role in investigations. Civil society organizations, victims, witnesses and affected communities must be able to engage freely with the Office without reprisals. We call on the Libyan authorities to uphold the rule of law and to enable their participation.

In conclusion, the United Kingdom renews its commitment to working with the Office of the Prosecutor to deliver justice in Libya. We encourage the Libyan authorities, the United Nations Support Mission in Libya and others to build on the promising progress that the Office is making to deliver justice. We also take this opportunity to reiterate our strong support for the International Criminal Court and its independence.

I resume my functions as President of the Council.

I now give the floor to the representative of Libya.

Mr. El-Sonni (Libya) (*spoke in Arabic*): At the outset, I would like to thank you, Mr. President, for organizing this meeting. We also thank Mr. Khan for his briefing, and we took note of his twenty-eighth report.

We welcome the recent efforts made by Mr. Khan and his team and his eagerness to deliver his briefing, for the second time, from inside Libya in the context of the ongoing cooperation between the Libyan authorities and the International Criminal Court. We

hope that the cooperation will contribute to expediting the completion of the investigations of the files before the Court in order to fully close the files of all cases pertaining to Libya, which cannot remain open forever. To date, 28 briefings by the Prosecutor have been held over the course of 13 years. If we compare that period of time against the actual progress achieved, it will become clear that we are going in a vicious circle.

We reiterate that achieving justice on Libyan territory is a sovereign prerogative and a matter of national jurisdiction. The Libyan judiciary is committed to guaranteeing fair and impartial trials for all wanted persons, no matter how long it takes. Under the Libyan criminal code, the crimes committed are not subject to the statute of limitations. In that regard, we reaffirm that our cooperation with the International Criminal Court, in accordance with its mandate, is based on the principle of complementarity and that the Office of the Libyan Attorney General is capable of investigating crimes committed within national borders, as well as transnational crimes. It has already made significant progress in understanding the circumstances in which many complex crimes were committed, and it has gathered evidence proving that our investigators are capable of investigating those crimes. By way of example, we mention the efforts made to uncover the crimes involving mass graves in Tarhuna. Those efforts resulted in the issuance of arrest warrants for more than 200 accused persons, many of whom are now in prison.

In that context, while we welcome the fact that the recent report of the Prosecutor mentions the Tarhuna investigations, unlike the previous report, along with Mr. Khan's recent announcement that arrest warrants were issued for six wanted persons, who are currently fugitives outside Libya, we call on his Office and on the Court to circulate the arrest warrants and address the

States to which they fled, in cooperation with the Office of the Libyan Attorney General. They must be brought to justice immediately and without any delay. It is also the Council's responsibility to notify the countries concerned to which those wanted persons fled.

We therefore reaffirm the importance of upholding the principle of justice, uncovering the truth and avoiding impunity in order to support the process of transitional justice and comprehensive national reconciliation. In order to uphold that principle, we must put an end to all negative interference in Libyan affairs and contribute to and support the comprehensive political process, making it possible to build national institutions, establish justice and activate the law.

In conclusion, I would like to associate myself with the statement made by the representative of Algeria. In that regard, I remind Mr. Khan and the Court once again of their responsibilities towards the victims of the genocide perpetrated in Gaza. There is a need to carry out the arrest warrants that he issued against the perpetrators of war crimes and crimes against humanity that have been ongoing for more than a year. The number of innocent victims and the systematic killing and starvation are beyond measure. The credibility of the International Criminal Court will always be questioned, and the Court itself accused of politicization and double standards, if immediate action is not taken against the war criminals of the Israeli occupation forces. I know that the Council is currently in consultations to adopt a new draft resolution on a ceasefire. The question is: will Chapter VII of the Charter of the United Nations be implemented this time against those who do not comply with those resolutions, or will Chapter VII continue to be tailored to some and not others?

The meeting rose at 12.50 p.m.