



Security Council

Eightieth year

9916th meeting

Thursday, 15 May 2025, 10 a.m.

New York

Provisional

President: Mr. Sekeris (Greece)

Members:

Algeria	Mr. Koudri
China	Mr. Sun Lei
Denmark	Ms. Landi
France	Mr. Fournel
Guyana	Ms. Persaud
Pakistan	Mr. Jadoon
Panama	Mr. Alfaro de Alba
Republic of Korea	Mr. Cho
Russian Federation	Ms. Zabolotskaya
Sierra Leone	Mr. Kanu
Slovenia	Mrs. Blokar Drobič
Somalia	Mr. Osman
United Kingdom of Great Britain and Northern Ireland . .	Mr. McIntyre
United States of America	Mr. Kelley

Agenda

The situation in Libya

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The meeting was called to order at 10.05 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 representatives of Italy and 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 to brief the Security Council today. Please also allow me to begin by recognizing and expressing my thanks to His Excellency the Permanent Representative of Libya to the United Nations for his attendance in New York, as well as to the Permanent Representative of Italy.

I address the Council today following what can be described only as an unprecedented six months of dynamism in our work in the situation in Libya. And as we saw in recent days, we also clearly come together at a critical moment for Libya — as the significant conflict taking place, combined with allegations of serious crimes, has again gripped Tripoli and other areas of the country. There is no doubt that in this period we faced significant challenges in cooperation, the political and security context in Libya and attempts to impact the work of the Court, more broadly.

But I wish to let the Council know how genuinely proud and thankful I am in the context of what the Libya Unified Team in my Office has been able to achieve. Some of its members are here in the room with me. They have worked tirelessly and with focus and to build partnership with affected communities, civil society, the Government of Libya and all those who wish to join our collective work towards justice and against impunity.

In the past six months, that progress has been reflected in the major step taken through the issuance of the first public arrest warrant with respect to crimes committed in detention facilities in Libya. That area of work has been a central priority for my Office for a number of years and is one of the pillars of the renewed investigative strategy I outlined to the Council in my twenty-third report. It is a line of inquiry that demands our collective action given the gravity and scale of the crimes that we allege are being committed right now in detention facilities in Libya.

There is what can be described as a black box of suffering on the coast of the Mediterranean that nobody has wanted to open — one that contains the cries, the ongoing pain, as we speak, of some of the most vulnerable of people in both the west and the east of the country. Our investigations into those crimes have been methodical and diligent and have drawn on multiple, interconnecting sources of evidence, based on our partnerships with many actors, including direct testimonial evidence from victims and witnesses who have survived their time at those detention facilities, and in some cases their family members as well. It includes forensic evidence of injuries incurred by victims during detention. It includes direct video and audio evidence showing those crimes being committed, evidence that was analysed and verified through the new technological systems we have put in place. It includes reports by the United Nations, the Independent Fact-Finding Mission on Libya, the Panel

of Experts on Libya and many reports by civil society organizations documenting such crimes, which are then reviewed, analysed and assessed by us. And it includes official documents, open-source material, including social media, and satellite imagery showing movements at detention facilities and different sites, as well as the increasing expansion in the number of locations where we believe those crimes are being committed.

Based on that intensive and focused work, it was a moment of real significance, hope and promise when Mr. Osama ElMasry Njeem was arrested by Italian authorities on 20 January, based on an arrest warrant issued by Pre-Trial Chamber I of the International Criminal Court (ICC) at the request of my Office. For the first time, we saw the potential for some sunlight to reach those sites — for some truth to emerge — to show the world what is happening and give hope to the victims of crimes being committed.

For many, that hope soon turned to frustration in the days following Mr. Njeem's arrest, when he was returned to Libya by Italy — returned to the place where we say he had been committing crimes against humanity and war crimes, including murder, torture and persecution at Mitiga prison. Those crimes alleged to have been committed, ordered or committed with his assistance, or with that of the Special Deterrence Forces (SDF), were the subject of the arrest warrant issued by the ICC Pre-Trial Chamber. The victims related to that warrant were often imprisoned due to their faith. Many of those who were identified were targeted solely for having a different opinion, or for their willingness to publicly identify themselves as Christian. Some were imprisoned and tortured allegedly because of their sexual orientation. Others were attacked for their perceived contraventions of the SDF's religious ideology or their alleged support, or affiliation with, other armed groups.

As communicated to us by our civil society partners, there is real dismay and disappointment among victims that Mr. Njeem has been returned to the scene of the alleged crimes. But it is important to be clear that the impact of our work, of the warrant issued by the judges of the ICC, of our focus on providing a lifeline of hope to those who remain in unlawful confinement, is not in vain and will continue. We know, based on multiple sources in Tripoli and more broadly, that the arrest of Mr. Njeem and the publication of the arrest warrant in relation to him have sent what can be described only as shockwaves through the militias and the community of alleged perpetrators throughout Libya. There is a growing awareness that the rule of law has entered the territory of Libya and that the allegations are being looked at forensically and analysed and that there are independent judges at The Hague who are doing their jobs. From changed travel patterns of suspects we are tracking and accounts of those on the ground, we are aware that there are deep concerns among militia leaders as to who else may be targeted by our work and how extensive and deep our investigations will go.

I wish to confirm to the Council today, but more importantly to those individuals who might be involved in, or be responsible for, those crimes, that their fear is not misplaced. My Office is actively seeking arrest warrants for additional individuals in relation to crimes in detention facilities across Libya, in the east and the west. And our ongoing efforts are not limited to seeking further warrants of arrest. I can confirm to the Council today that, with respect to Mr. Njeem, the ICC has responded to a request for assistance from the United Kingdom's National Crime Agency (NCA) to provide information in support of a United Kingdom civil investigation into assets held by him. Drawing on that collaboration, the NCA has obtained orders to freeze accounts and properties with a combined value of £12 million. That investigation is ongoing.

I also wish to note the significant developments taking place in Libya as we speak, as part of which the Prime Minister has officially dissolved the SDF and replaced its functions with a new office. That is a very important decision by any metric. As part

of that action, we understand that Mr. Njeem has been removed from his functions at the top of the Department of Operation and Judicial Security in the judicial police. That is an immensely positive development, and I welcome and applaud the action taken by the Prime Minister at a critical moment for Libya. I encourage Libyan authorities to now hand over Mr. Njeem for transfer to the International Criminal Court so that he can stand trial for the crimes subject to the warrant issued by the Pre-Trial Chamber — crimes against the Libyan people. And I particularly take this opportunity to call on the Attorney General of Libya, Mr. Al-Siddiq Al-Sour, to arrest Mr. Njeem and surrender him to the ICC.

If a reminder were needed of the imperative of breaking down the wall of silence in relation to those crimes and of finally ridding Libya of the dark, pernicious power of its militia forces, it came just a week ago on our screens, seen by millions across on social and international media. Many members of the Security Council might recall seeing on their phones or televisions an image of a broken man with a chain around his neck, dust across his face, with the deepest of fear in his eyes and a voice trembling as he was forced to make declarations against himself. That gentleman was Ibrahim El-Dirsi, a member of Parliament in eastern Libya, and his alleged crime was that he dared to raise his voice for the people of Libya. He spoke up for the people, the values and the hope of a Libya in which rights are there for everybody. His disappearance in Benghazi was a case to which I had referenced, as Council members may recall, in my most recent report to the Council, highlighting the extent of the suffering caused by enforced disappearances and arbitrary detention in Libya. As I sit here, none of us know his fate; I do not. The videos show clear signs of torture having been inflicted on him. My Office has retained an expert to examine that video material, based upon a request from the Libyan authorities themselves, and we can say with a high degree of confidence that those videos and images are authentic.

We are working further with the Libyan authorities; we are analysing additional videos documenting a variety of heinous crimes that we conclude are still taking place in Libya. The act taken to dissolve militias in Libya right now, in these circumstances, is historic. It is an opportunity to put a stop to those types of crimes, and it is my hope that, through continued focus on crimes committed in detention facilities in Libya, through more arrest warrants either under seal or public and through further cooperation with our Libyan partners, collectively, we will manage to break open that black box of suffering. It is essential that our focus on those crimes now be matched by the cooperation of States in apprehending those responsible, and it is essential that all States meet their obligations under the Rome Statute and under resolution 1970 (2011), adopted by the Council in 2011, so that together we can remove the sense of impunity that is fuelling that cruelty. And in doing so, we can create more space and give more oxygen to good faith actors — to the people of Libya, to those who love Libya, regardless of their nationality — to improve governance and promote respect for human rights as a foundation for a better future. That is the virtuous cycle of justice and good governance that I believe can represent one of the joint successes of our collaboration with the Security Council, in accordance with resolution 1970 (2011).

As also reflected in my recent report, my Office has been able to move with speed across other lines of inquiry outlined in our previous reports and the renewed strategy for Libya, including with respect to crimes committed against migrants and crimes related to the 2014–2020 operations. The work is not done alone. The ICC is not only the sum of its own personnel and its own efforts. It is the product of that joint collaboration, that fusion, that bridge, bringing together a variety of actors, from States, civil society and different types of partnerships, working with a common will, a common belief, with courage, to support the victims themselves. The victims, critically, are at the heart of that. Their courage must be applauded, and their willingness to keep engaging is something that I also commend.

The progress that we have made in this period has in particular been founded on those types of partnerships with victims and civil society. In this period, the team held more than 145 meetings with different civil society organization, more than 80 of them. The team participated in a second major meeting with 38 civil society organizations only recently, not speaking at civil society but listening to them and trying to find ways in which we can more effectively be a solid, reliable and effective partner with them to make sure that there is more justice and less impunity. In those meetings, we have heard a full range of emotions from civil society and victims. Underpinning it all was real hope that, based upon the collective action under the mandate provided by the Council to the Court, we can build stronger foundations for a brighter future for Libya.

But I have to admit that, in the course of that discourse with civil society, there was some trepidation among them regarding the planned completion of the investigative phase of our work, as outlined in this and previous reports. I understand that concern, and we are listening. But I am also clear in my view: we must proceed at speed with our investigations and demonstrate every effort to move forward to fulfil the mandate provided by the Council to the Court. Pursuant to that imperative, I can confirm to the Council that investigations into a number of priority lines of inquiry pursuant to the mandate that the Council provided us with will be completed by the end of this year, with remaining lines of inquiry pursuant to the mandate of the Council to be completed by the first quarter of 2026. That means that my Office will fully complete the investigative phase of our work under that Council mandate before my first report in 2026. That reflects the significant progress that we have made in recent years in the applications that we have been able to make in this situation, including in relation to Tarhuna and the Mitiga prison. Even after completion, work will continue to ensure that the Office is trial-ready once any of the existing arrest warrants is executed. We will continue to work with States and partners for the successful execution of existing arrest warrants and for trials at the Court.

In parallel with that focused work of delivering on the mandate, we have also had some significant and, I believe, truly positive developments with the engagement of the Government of Libya. Today the Registrar of the International Criminal Court confirmed receipt of a declaration by Libya pursuant to article 12, paragraph 3 of the Rome Statute, accepting the exercise of the Court's jurisdiction from 2011 until the end of 2027. That declaration represents a profound step towards a renewed platform for collective action between the ICC and Libya in pursuit of justice, and I strongly welcome the courage, the leadership and the decision by the Libyan authorities in launching that declaration.

Consistent with our established practice, my Office will now review the declaration and take further action in line with the Rome Statute. But I wish to note already today that I believe that that step will allow us to move forward with our work on a new, common basis of collegiality and partnership towards the same goal of justice. And the commitment of the Government of Libya through the declaration really is something that can be harnessed to build a better future and to help drive Libya out of the difficulties that it has been struggling with for far too long. And while my Office will continue to conclude its mandated activities under resolution 1970 (2011), we will now also look to begin a new chapter of action and investigations based on the important step taken by Libya today. Partnership, communication and dialogue — those have been features of the various reports that we have submitted over the past couple of years. The attempt at respectful dialogue and communication has borne fruit by way of the sovereign decision of Libya in lodging the declaration that I referenced a moment ago.

It also means that those who are committing crimes in Libya as we speak should be aware that there is a not a gap between the Government of Libya and the ICC. The physical and geographical distance and the political environment are neutralized by that solidarity and new partnership between Libya and the Court to deliver justice for the people of Libya. I am convinced that by working together we will be able to deliver even more and ensure that those detention facilities, those subject to human trafficking and those who have spent too long without justice for lost loved ones will feel the impact of our work.

I wish to underscore my debt of thanks to President Menfi and Prime Minister Al Dabiba for such strong leadership and such strong and courageous support for ending impunity in Libya. Their decision actually is leadership in action. We stand ready to partner with them. We look to build further possibilities to open more bridges of communication for international crimes committed in Libya. In doing so, I believe we will set a stronger foundation for peace and create further space for actors that have the best interest of Libya and its people at heart.

While members' action as a Council has set this basis, I am pleased that Libya and the Office of the Prosecutor will continue to work together on this renewed basis for this important collective work, which will ultimately vindicate the Council's decision, in resolution 1970 (2011), that justice, peace and security are the God-given right of the people of Libya.

The President: I thank Prosecutor Khan for his briefing.

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

Mr. Osman (Somalia): We listened with great interest to the briefing of Prosecutor Khan, and we took note of the twenty-ninth report of the International Criminal Court pursuant to resolution 1970 (2011). I welcome the participation of Ambassador Taher El-Sonni, Permanent Representative of Libya, and the Permanent Representative of Italy in today's meeting.

Justice and accountability remain central to fostering peace and stability in Libya, and transitional justice is vital for achieving national reconciliation and lasting peace. In that context, I would like to make the following points:

First, strengthening national justice institutions must remain a priority, empowering Libyan authorities to lead this process. An environment that builds the capacity of Libyan institutions to administer justice is essential for sustainable peace.

Secondly, existing legal frameworks should be reinforced and, where appropriate, adapted to respond to evolving circumstances. Approaches to justice in Libya are most effective when rooted in Libyan efforts and aspirations.

Thirdly, Libyan leadership in addressing justice must take precedence, supported by regional and African mechanisms. As the process advances, the Council should remain vigilant about the role of external factors and observe those dynamics with transparency, ensuring that Libyan solutions guide the path forward.

Cooperation between Libyan authorities and the International Criminal Court, as outlined in resolution 1970 (2011), is encouraged and can foster accountability while respecting complementarity and national sovereignty. The situation requires sustained attention and support for Libyan-led initiatives towards justice and peace. A comprehensive approach, integrating judicial accountability, humanitarian support and diplomatic engagement remains essential.

In conclusion, the international community and the Council should fully support Libya's pursuit of justice, stability and reconciliation, while respecting its sovereignty, territorial integrity and unity.

Somalia remains committed to playing an active role towards those objectives.

Ms. Zabolotskaya (Russian Federation) (*spoke in Russian*): First of all, I would like to express a principled objection with respect to the so-called Prosecutor of the so-called International Criminal Court (ICC) addressing the Security Council.

First, Mr. Khan's reports provide the Council with false information regarding the real state of affairs, including within the Court itself.

Secondly, the Court is continuing, albeit slowly, the investigation into Mr. Khan's suspected involvement in sexual harassment. As we have repeatedly stated, in such a situation, Mr. Khan's activities must be suspended, and he cannot address the Council.

According to a recent report in *The Wall Street Journal*, the investigation is not into some random incident or miscommunication. The investigation is about the repeated sexual abuse of his subordinate. The victim is reported to have been subject to sexual assaults over a period of months — in New York, Colombia, Congo, Chad, Paris and The Hague. That geography indicates that Mr. Khan committed criminal offences during his official travel. Such disgraceful actions are incompatible with the ethical principles expected of an international official. In any organization claiming independence and authority, a person accused of such serious crimes would suspend their duties. However, Mr. Khan is unashamedly speaking before the Council.

Mr. Khan has been under investigation for almost six months now, but we know nothing about any outcomes. Mr. Khan seems to be an untouchable figure who is allowed to act with impunity while simultaneously asserting that what he is doing is fighting impunity. The fact that the ICC allows a person facing such accusations to address the Council time and again invalidates the Court's moral right to claim respect from the international community.

Moreover, the Court itself siphons nearly \$200 million annually from States parties to fund its activities. We recommend that Member States inquire what exactly those funds are being spent on in the light of Mr. Khan's frequent business trips during which he did all those things that are now under investigation. Whereas the huge investment by Europe in that institution may seem logical, as the ICC is serving its interests, we do not understand why developing countries are bound to pay to advance the hegemonic ambitions of a narrow group of Western States. Therefore, proposals to allocate funds from the United Nations budget to the ICC are absurd. Not a cent of the resources of our Organization will go to that puppet tribunal.

If there is an area in which the ICC is setting global standards, it is in inefficiency. The number of final verdicts of that body can be counted on one hand. A significant number of cases have simply fallen apart at the investigation stage owing to the poor evidence that is based on commissioned and clumsily concocted fakes. Dozens of defendants died before their cases were finalized. I would like to emphasize that those, to put it mildly, unimpressive results cost billions of dollars.

The ICC has rubber-stamped several dozen so-called arrest warrants, which are not being executed by anyone. What is particularly glaring in that respect are the double standards of European countries. When it comes to the leaders of States they dislike, the Europeans express unconditional support for the ICC, ignoring the norms of customary international law with regard to the immunities of senior officials and the relevant provisions of the Rome Statute. But the Europeans attempt to obstruct those who refuse to implement the ICC's illegal warrants and to violate international law.

However, when it comes to protecting their own interests or the interests of their political allies, what we see is exactly the opposite. For example, the representatives of at least seven European States explicitly stated that they will not be able to execute the arrest warrant against the Prime Minister of Israel, citing the norms of

international law regarding immunities. In other words, those norms and provisions of the Rome Statute are interpreted and applied selectively, depending on the political stance. Therefore, the activities of the ICC and its Western backers have nothing to do with fighting impunity. They serve as an instrument for settling political scores with opponents, and the ICC's attacks on the immunities of officials of countries that are not party to the Rome Statute constitute an attack on the foundational principle of the sovereign equality of States. At the same time, the immunity of the representatives of Western countries themselves and their allies remains inviolable, and any cases involving any atrocities committed by their soldiers will be swept under the rug no matter what. Shielding its Western masters is the only task at which the ICC never fails to excel.

What kind of authority can we speak of for this pseudo-court if even one of the Court's founding members, which provided a platform for the adoption of the Court's founding statute in 1998, very recently ignored an arrest warrant and evacuated a suspect to his home country using a Government plane? That situation is an excellent illustration of the double standards intrinsic to European States. For them, their own political and economic interests will always come first, and the ICC will be just one of the instruments for advancing those interests.

The ICC is using the Security Council to "tout" its alleged accomplishments. Time and again, we are being told that, with regard to the Libyan dossier, the ICC launched a "new" line of investigation into the presumed crimes against humanity affecting migrants and refugees. In theory, that area of work could be relevant, but even on that issue, the ICC is following very old patterns. Therefore, the flows of illegal immigration and the deaths of tens of thousands of people in the Mediterranean Sea and elsewhere were the result of the West's actions to destroy Libya. Because of the NATO aggression, hundreds of thousands of people who used to live in a stable and prosperous State were stripped of everything overnight and plunged into a decade of nightmare, devastation and civil war. Many of them were forced to leave their homes in their quest for a better lot. And how were they greeted by those responsible for destroying their country? At best, the European authorities did nothing about the migrant boats in distress. At worst, they made it their priority to ensure that the migrants would never land on their shores, lacking the slightest concern for migrant lives.

Does anyone think that there is a chance that those who are genuinely responsible for the destruction of Libya's statehood and the deaths of tens of thousands of migrants will receive the punishment they deserve? The chances of that happening are non-existent because the ICC is on the job, and they are very professional in protecting their masters. For example, it is clear from Mr. Khan's report that the entire responsibility for crimes against migrants is to be pinned on two Eritrean nationals, and the ICC will then trumpet its success.

Instead of investigating what is being done by European States and the European Border and Coast Guard Agency, which was accused by European human rights advocates themselves of committing crimes against humanity against migrants, the ICC decided to collude with them. The Office of the Prosecutor became a member of the joint investigation team established by the European Union Agency for Criminal Justice Cooperation, which includes the alleged perpetrators themselves. The outcome is predictable. None of the representatives of the European Union authorities will be punished for their crimes. The so-called justice, administered by Europeans themselves and by institutions under their control, is geography-specific, and the same criterion is used to determine the value of human life. What we see here are the worst examples of neocolonial practices.

We also noticed the information contained in the report indicating that the ICC is actively cooperating with other organizations and bodies, including the United Nations Support Mission in Libya. In that regard, we would like to underscore that

the Mission has no mandate to assist the Court. We expect the new leadership of the Mission to cease contacts with the ICC and to be guided by the Secretary-General's position that the ICC and the United Nations are separate organizations. We will certainly follow up on that issue.

More than 14 years have elapsed since the Security Council referred the situation in Libya to the International Criminal Court in 2011. During that time, the ICC not only failed to make progress on the matter, but in fact it demonstrated its institutional ineptitude. Not a single one of the accused on the "Libyan file" has been brought to justice. Some were killed, while others are in hiding and still others were released. The ICC's interference in Libyan political processes undermines sovereign efforts geared towards national reconciliation. The Court's actions have exacerbated internal tensions and conflicts, creating new division lines and fuelling distrust between political forces. The ICC, which claims to be a universal mechanism, has in fact become an instrument of the collective West to exert political pressure on countries that are out of favour. Its continued presence on the Libyan track only hinders a political settlement.

We therefore believe that the Security Council should withdraw the Libya and Darfur files from the ICC as soon as possible, so as not to hinder the advancement of the political process based on consensus among all sound sociopolitical forces.

Mr. Alfaro de Alba (Panama) (*spoke in Spanish*): We thank the Prosecutor of the International Criminal Court (ICC), Mr. Karim Khan, for his updates. We acknowledge the presence of the Permanent Representatives of Libya and Italy, who honour us with their participation in this meeting.

Let me begin by expressing concern about the recent escalation of violence and tensions in Tripoli, in particular reports of civilian casualties. We urgently call for a definitive cessation of hostilities by the parties to the conflict and for the protection of civilians to be guaranteed.

Panama recognizes the work of the International Criminal Court and the Office of the Prosecutor in fulfilment of the mandate conferred by the Council through resolution 1970 (2011), in the context of the situation in Libya. The recent report of the Court communicates the relevant steps taken in the effort to combat impunity for crimes committed on Libyan territory. While we recognize that that progress has been slow and that it has taken time to see concrete results in those cases, we understand the complexity of working in contexts marked by instability, operational constraints and a lack of full cooperation from some key actors. Panama takes careful note of the development of ongoing investigations and the efforts of the Office of the Prosecutor to consolidate evidence, interact with civil society organizations and collaborate with national authorities in different jurisdictions. Those efforts reflect a commitment to strengthening judicial processes and a sensitive approach to the victims and survivors of those crimes.

At the same time, persistent challenges, particularly those related to the execution of arrest warrants, serve to highlight the need to strengthen cooperation mechanisms between States and the Court. As a State party to the Rome Statute, it is incumbent upon Panama to reiterate its support for the independence, impartiality and integrity of the International Criminal Court. Panama firmly believes that accountability is an indispensable component of justice. That is why we call into question any coercive measure and sanctions against the Court that imply prejudice to its mandate and to the investigations that it conducts. Crimes must not go unpunished, and victims have the right to know the truth, gain access to justice mechanisms and receive reparation for damages. Those principles are essential for institutional reconstruction and reconciliation, especially in contexts of protracted violence.

With regard to the human rights situation in Libya, we note with concern the persistent reports of sexual violence, particularly those affecting women, girls, migrants and persons in need of international protection. Although we recognize the challenges confronting the country, we call for protection measures to be bolstered and for progress to be made in establishing a rule of law that is robust and stable. In that vein, we underscore the importance of effective cooperation among national, regional and international actors and of the complementary role that civil society organizations and multilateral mechanisms play in strengthening the national justice system. Panama encourages the international community to maintain the technical and political support necessary for consolidating Libyan institutions, ensuring their independence and moving towards transitional justice, with a focus on human rights and institutional sustainability.

We are convinced that there can be no lasting peace without effective accountability mechanisms. A commitment to justice must guide every effort. Panama will continue to promote respect for international law and support initiatives aimed at eradicating impunity, with a view to fostering stable conditions for the Libyan people.

Mr. McIntyre (United Kingdom): I welcome the representatives of Italy and Libya to today's Council meeting. Let me also thank the Prosecutor and his team, both for the presentation of their latest report and for the briefing to the Council today. I will make three points.

First, let me express the United Kingdom's deep concern at the escalation of violence that has occurred in Tripoli in recent days. It has included the use of heavy weaponry in densely populated areas, resulting in credible reports of civilian casualties. That most recent escalation underscores the urgent need for a credible United Nations-facilitated political process that can deliver lasting peace, stability and security for the Libyan people. We welcome recent reports that the Libyan parties have agreed on a ceasefire and urge that it be fully and unconditionally respected.

Secondly, we welcome the continued progress made by the Office of the Prosecutor during this reporting period. We note, for example, the 20 additional missions undertaken by the Office of the Prosecutor in recent months and especially welcome the increased engagement with civil society organizations described in the briefing today. The unsealing of the arrest warrant against Osama ElMasry Njeem represents a further positive step, further strengthening the Office's work in relation to crimes allegedly committed in detention facilities in Libya. As mentioned in the briefing today, the national authorities in the United Kingdom engaged closely with the Court in relation to that matter, including the freezing of Mr. Njeem's bank accounts in the United Kingdom.

We were pleased to read, in the report, about some positive steps taken by the authorities in Libya in recent months. That includes the arrest of a number of perpetrators of crimes allegedly committed in Tarhuna, at least two of whom remain subject to International Criminal Court (ICC) arrest warrants. However, we also note that the Office of the Prosecutor has requested further assistance, both in order to gain access to investigative files and in relation to the surrender of suspects. We also warmly welcome the decision just announced by the Government of Libya to submit a declaration under article 12, paragraph 3, of the Rome Statute. That is clearly an important and a very positive development. It is clear that cooperation remains key to the Court's work. It is therefore important that all States fulfil their obligations pursuant to resolution 1970 (2011) and the Rome Statute, including in relation to those subject to ICC arrest warrants.

In conclusion, let me reiterate the United Kingdom's strong support for the International Criminal Court and for its independence. It is important that the Court be able to carry out its mandate, free from sanctions and other measures that interfere with its work and its officials.

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

At the outset, I express Guyana's deep concern at the escalation of violence in Tripoli over the past few days. We call for urgent de-escalation and for the parties to engage in dialogue.

Guyana commends the progress made by the Office of the Prosecutor during the reporting period in accelerating investigative activities across the key lines of inquiry, in line with the Office's renewed strategy for Libya. The issuance of the arrest warrant by the ICC for Osama ElMasry Njeem for the alleged war crimes and crimes against humanity committed in Mitiga prison was a significant step towards holding perpetrators to account and seeking justice for the victims in Libya. We look forward to the arrest warrant being executed. We note the projection that, on the basis of the current momentum in investigations and the anticipated further collection of relevant evidence, the Office expects to present applications for additional arrest warrants and to support prosecutions in domestic courts.

We emphasize the critical importance of States' meeting their obligations, both under the Rome Statute and under resolution 1970 (2011), to arrest and to transfer subjects of arrest warrants for trial at the ICC. We also urge all States to cooperate with the Court and the Prosecutor in accordance with resolution 1970 (2011).

Guyana welcomes the reported significant engagement between the Office of the Prosecutor and the Libyan authorities towards improving cooperation and complementarity. We urge the Libyan authorities to undertake the requisite follow-up actions to turn those discussions into action and to cooperate fully with, and provide necessary assistance to, the Prosecutor's Office, as required in resolution 1970 (2011). We see as a positive development the recent submission by Libya of a declaration to the Court, accepting the Court's jurisdiction with respect to the crimes committed in its territory from 2011 to the end of 2027. We have also taken note of the increased meetings among the Deputy Prosecutor, the team, victims and civil society organizations and have also noted the calls by civil society for the prompt arrest and surrender of suspects who are currently located in Libya and against whom arrest warrants are pending.

Guyana commends the Office of the Prosecutor and the Libya Unified Team for diligently working to fulfil the mandate of the Security Council, despite challenges in a complex political landscape. We note the continued resource constraints on the Office and encourage States to continue their support in that regard. 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 and protected.

In conclusion, Guyana reiterates its support for the International Criminal Court and the Office of the Prosecutor. We underscore that ensuring accountability for atrocities is crucial in preventing future crimes and in building a foundation for lasting peace and stability.

Mr. Kanu (Sierra Leone): I thank Mr. Karim Khan, Prosecutor of the International Criminal Court (ICC), for his timely briefing and for presenting the ICC Prosecutor's twenty-ninth report on the situation in Libya, as mandated by resolution 1970 (2011).

Although the briefing is focused on the Council's referral of the situation in Libya to the ICC, we express grave concern about the eruption of hostilities in Tripoli despite the ceasefire agreement. There is a linkage between peace and

justice, and that calls for urgent action. We therefore urge an immediate resumption of the ceasefire.

Sierra Leone commends the Prosecutor and his Office for their unwavering commitment to accountability and for the diligent efforts undertaken over the past six months, particularly with respect to the situation in Libya, in line with the Rome Statute and resolution 1970 (2011).

Sierra Leone regrets that Prosecutor Karim Khan could not be physically present to brief the Council, owing to the non-issuance of a visa by the host country. As a permanent member of the Council and a party to the agreement between the United Nations and the host country, the host State bears a particular responsibility to facilitate the participation of invited United Nations officials and mandated representatives of institutions established under multilateral treaties. The denial of access to such critical engagement undermines the effective functioning of the Council, sets a troubling precedent for multilateral cooperation and threatens the impartial application of international justice. It is essential that we collectively guard against the erosion of international law and reaffirm that all Member States, including host States, must uphold their legal obligations in good faith.

As a State party to the Rome Statute, Sierra Leone remains committed to safeguarding the ICC, its personnel and all individuals cooperating with the Court from any form of threat or intimidation. Attacks on the Court or its officials constitute an attack on the rule of law and the international community's shared commitment to justice. Such attacks, as well as unilateral sanctions and other threats against Court officials and those assisting them, are deeply concerning. Such measures hinder cooperation, endanger staff and obstruct the impartial discharge of the Court's mandate. We remain gravely alarmed by all acts of intimidation or hostility directed towards the Court and emphasize the need for collective international support to safeguard its independence, impartiality and credibility.

Turning to today's meeting, we welcome the participation of the Permanent Representatives of Libya and Italy.

Sierra Leone remains convinced that accountability for atrocity crimes not only protects civilians in armed conflict but also deters future violations and provides a foundation for sustainable peace. We therefore welcome the progress made on the four priority lines of inquiry in the Libya investigation and the key principles outlined by the Prosecutor for renewed action.

Regarding the Prosecutor's twenty-ninth report, Sierra Leone would like to highlight five points.

First, we welcome the renewed pace of investigative activity. The unsealing of the arrest warrant for Mr. Osama ElMasry Njeem, alleged to have overseen grave abuses in Mitiga prison, marks the Court's first warrant focused on crimes committed in detention facilities in Libya. That action sends a powerful signal to the victims that their suffering is neither forgotten nor beyond the reach of justice. Similar progress, such as the unsealing of six arrest warrants related to crimes in Tarhuna, is also acknowledged. Those steps are vital to the objective of completing investigative activities by the end of 2025, with a possible extension into early 2026 for the filing of additional warrants.

Secondly, accountability requires State cooperation and enforcement. We emphasize that every Member State has a duty, under the Rome Statute and/or resolution 1970 (2011), to arrest and surrender suspects without delay. The decision to return Mr. ElMasry Njeem to Libya despite the outstanding warrant is concerning and has understandably caused dismay among victim communities. When suspects of atrocity crimes walk free, confidence in justice and the rule of law is gravely eroded. We urge all Member States to fully cooperate in tracking suspects, preserving evidence and supporting the Court's work.

Thirdly, we commend the growing engagement between the Office of the Prosecutor and victims, civil society and affected communities. As explained during the briefing, more than 145 meetings with 80 organizations were held during this period, and the Deputy Prosecutor's dialogue with 38 groups is shaping a mechanism for structured engagement. Such direct outreach improves investigations and ensures that they are responsive to the experiences of victims. We support continued psychosocial assistance for witnesses and broader community-based collaboration.

Fourthly, Sierra Leone welcomes the progress made towards concluding the investigative phase by the end of 2025, in line with the road map set out in the Prosecutor's twenty-seventh report. To realize that goal, the Office must be equipped with adequate and predictable resources. We support the request for additional staffing at the Assembly of States Parties and encourage secondments of national experts. Investing in accountability today brings justice closer tomorrow.

Fifthly, Sierra Leone continues to affirm that States bear the primary responsibility for ensuring justice and accountability for their citizens. Where national systems face limitations, international cooperation and support should be welcomed. In that context, we reaffirm our support for the people of Libya as they pursue justice and accountability as part of a broader peace process.

As the Court transitions from investigation to trial, complementarity will rely on robust cooperation with Libyan judicial authorities. Challenges persist owing to unexecuted warrants and restricted access to key evidence. We call on the Libyan authorities to fulfil their obligations under resolution 1970 (2011), including granting timely access and integrating the required standards within their courts. We commend the ongoing joint investigative efforts into crimes against migrants and encourage deeper cooperation among the ICC, Libyan prosecutors, neighbouring States and the relevant United Nations entities. Furthermore, we call on Council members, regional organizations and international partners to strengthen support for security, logistics and witness protection to ensure safe and effective investigative operations. We encourage follow-up actions when States fall short of their legal responsibilities.

From Sierra Leone's own national experience, we know that impartial justice can heal societies and advance national reconciliation. We therefore reaffirm our strong support for the ICC, its Prosecutor and all its staff and partners. We will continue to advocate for a victim-centred, complementarity-driven approach that respects Libya's sovereignty while ensuring that those responsible for the gravest crimes are held accountable.

Let me conclude by paying tribute to the courage of Libyan victims, witnesses and human rights defenders. Their resilience must inspire us to remain steadfast in the pursuit of justice.

Mr. Jadoon (Pakistan): We thank the Prosecutor of the International Criminal Court (ICC), Mr. Karim Khan, for his briefing and the presentation of the twenty-ninth report pursuant to resolution 1970 (2011) on the situation in Libya. We welcome the participation of the Permanent Representatives of Libya and Italy in today's meeting.

While not a party to the Rome Statute, which established the ICC, Pakistan is committed to the objective of accountability for international crimes. The ICC and its supporters can gain global credibility if objectivity and impartiality are ensured in the cases and persons the Court decides to investigate and prosecute.

We have noted the contents of the report, particularly the steps undertaken by the Office of the ICC Prosecutor to strengthen cooperation and communication with all the relevant parties in Libya. We also note the issuance of the first public arrest warrant, the extensive efforts undertaken in collecting evidence, the interaction with civil society organizations and the cooperation with the national authorities on crimes against migrants.

Allow me to highlight three key points.

First, as a steadfast friend of the Libyan people, Pakistan reiterates its commitment to Libya's sovereignty, independence, territorial integrity and national unity. We firmly believe that an inclusive approach that garners full national ownership has the potential to accrue optimum results. We note with satisfaction the improvement in exchanges with the Libyan authorities, manifested by the Prosecutor's interaction and engagement with the key Libyan parties and authorities.

Secondly, cooperation between the Court and the Libyan authorities is key to fulfilling its mandate, assigned by resolution 1970 (2011). We hope that the Office of the Prosecutor remains sensitive to respecting Libya's judicial sovereignty while acknowledging legitimate concerns.

Thirdly, we hope that the Office of the Prosecutor will maintain its independence and impartiality while carrying out its work. It should support the relevant parties in Libya towards the overarching aim of strengthening national unity.

Pakistan is of the firm belief that a Libyan-led and Libyan-owned process is the only path towards sustainable peace and stability in the country. We are concerned about the fighting and clashes that recently took place in Tripoli and welcome reports that a ceasefire has been achieved. Pakistan encourages all Libyan stakeholders to maintain the momentum of political reconciliation and address all outstanding issues through an inclusive national dialogue. Pakistan will support any endeavour that is aimed at ushering in peace, development and prosperity in Libya.

Ms. Landi (Denmark): Let me begin by thanking Prosecutor Khan for his briefing today on his Office's twenty-ninth report on the situation in Libya. We express our regret that the Prosecutor was unable to brief the Council in person today, as mandated by the Security Council. I would also like to welcome the Permanent Representatives of Libya and Italy to the Council today.

Denmark commends the Office of the Prosecutor for its sustained efforts to investigate and prosecute those most responsible for the serious crimes committed in Libya since 2011. We strongly support the ongoing investigation and welcome the Prosecutor's most recent report to the Council. At the outset, let me also emphasize that the International Criminal Court (ICC) plays a pivotal role in the international justice system. The Court's work in Libya supports our collective pursuit of accountability, peace and security.

Allow me to focus on three areas.

First, Denmark welcomes the further acceleration of the investigative activities of the Office in the reporting period, in line with the renewed strategy in relation to the situation in Libya, and as reflected in the unsealing of the arrest warrant for Osama ElMasry Njeem for crimes allegedly committed in Mitiga prison. We note that that represents the first arrest warrant issued by the ICC with respect to its line of inquiry on crimes in detention facilities in Libya, and we emphasize the importance of accountability for such crimes in the light of the extensive allegations in that regard. We are also pleased to note that despite the ongoing challenges facing the Court, the Office has made further progress towards completion of the investigative phase in line with the road map laid out by the Office of the Prosecutor in its twenty-seventh report.

Secondly, Denmark reaffirms the critical importance of State parties respecting their obligations under the Rome Statute. That includes, in this situation, the arrest and transfer of subjects of arrest warrants for trial at the ICC. We also agree with the Prosecutor that cooperation by the Libyan authorities remains crucial in order to achieve the objectives set out in the road map. As such, we call on the Libyan authorities to ensure continued and further improved cooperation with the Office

in accordance with resolution 1970 (2011). We welcome the recent announcement by the Libyan authorities regarding article 12 (3) of the Rome Statute. It is a strong signal that Libya is committed to further cooperation with the Court and the fight against impunity.

My third point is the importance of engagement with Libyan civil society. Denmark welcomes the increased engagement with key stakeholders, including victims and civil society organizations. Such deepened cooperation with key stakeholders is essential for fostering trust and promoting the rule of law in Libya.

The recent escalation of hostilities in Tripoli is a stark reminder that an urgent settlement to bring an end to the political impasse is needed in order to stabilize the security situation. Those events demonstrate that continued impunity for international crimes will only fuel further instability and violations in Libya. We welcome reports that a ceasefire has been reached and hope that it will be respected. We urge all parties to exercise utmost restraint and to protect civilians in line with international humanitarian law.

Above all, the Libyan people deserve justice. The victims of atrocity crimes — the men, women and children who have suffered murder, torture, sexual violence and displacement — deserve healing and they deserve closure.

Our continued support for the Court's efforts to ensure accountability is essential to break the cycle of violence and foster a culture of respect for the rule of law in Libya. It is vital to the completion of the Libyan reconciliation process and underpins the efforts of the United Nations Support Mission in Libya to promote sustainable peace in Libya.

The Prosecutor can count on Denmark's continued support for the independent and impartial work of his Office, which plays a vital role in combating impunity for the most serious international crimes. Let me stress that we recognize the commitment and professionalism of ICC personnel in fulfilling the mandate provided by the Council with respect to the situation in Libya under very difficult circumstances. In that regard, we are concerned with the application of sanctions against the Prosecutor and reaffirm our full support for the Office in fulfilling its mandate and activities as requested by the Council. The Office must be able to exercise its role without external pressure, hindrance or obstruction.

In conclusion, let me reiterate Denmark's unwavering support for the International Criminal Court, as well as our firm commitment to the rules, the principles and the values enshrined in the Rome Statute.

Mr. Kelley (United States of America): The United States has historically been and will continue to be a strong supporter of international justice. However, we have grave concerns about the International Criminal Court (ICC), which is a politicized, anti-American and anti-Israeli institution. The ICC has engaged in illegitimate and baseless actions targeting America and our close ally Israel. The United States and Israel have not ratified or acceded to the Rome Statute of the ICC and never granted the ICC jurisdiction. The ICC's actions targeting the United States and Israel are acts of overt hostility and a violation of the most basic understanding of State sovereignty.

Rather than upholding and enforcing international justice, the ICC has engaged in a grave miscarriage of justice and pursued a politicized agenda. One of the first steps President Trump took was to sign an executive order to impose strong sanctions on the ICC, with the first designation being imposed on the ICC Prosecutor. But the United States and Israel know the problems with the ICC go beyond Prosecutor Khan.

As the executive order details, the ICC has engaged in a long list of illegitimate actions, abused its power against both countries, sets a dangerous precedent, endangers the safety and security of our citizens and violates our sovereignty. The

executive order is clear. The United States will impose tangible and significant consequences on those responsible for the ICC's transgressions. President Trump has made clear that the ICC's actions against the United States and Israel constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. Make no mistake. We will vigorously use our sanctions tools against those who have pursued and facilitated ICC actions against America and our allies, including Israel.

Turning now to Libya, ending political instability and ensuring accountability in Libya will help to reduce ongoing violence and the power of armed groups, which are responsible for many of the most serious human rights abuses in the country. We call on Libyan authorities to ensure former senior officials of the Al-Qadhafi regime face justice.

The Libyan authorities need to implement stronger witness protection, provide increased psychosocial support during trials and remove restrictions on civil society, which is vital for justice. The United States praises civil society and human rights defenders in Libya and underlines that restricting their freedom of expression, including through arbitrary arrest and detention, is unacceptable.

It is necessary to confront past wrongs by breaking the cycle of impunity in Libya and empowering its people for a peaceful, prosperous future. Regrettably, the results after 14 years of investigations have not brought the accountability that the people of Libya deserve.

Mr. Koudri (Algeria) (*spoke in Arabic*): We listened carefully to the briefing by the Prosecutor of the International Criminal Court (ICC) and we took note of his twenty-ninth report regarding the progress achieved since November 2024 in relation with the situation in Libya. We welcome the participation of the Permanent Representative of Libya and the Permanent Representative of Italy in our meeting today.

As we meet today, we view with great concern the situation in Libya, following the renewal of armed clashes in Tripoli and the resulting loss of life and wasting of assets and resources of that brotherly country. From this Chamber, we renew our sincere call to all our brothers in Libya to choose dialogue in settling differences, as that is the only option, and demonstrate a spirit of national responsibility and prioritize the interests of the Libyan people. My country also affirms that, for Libya today, it is more necessary than ever before to steer all its people away from the logic of division and to advance a political process under the auspices of the United Nations to achieve a long-awaited solution.

The achievement of justice in Libya, as in other countries of the world, remains a legitimate national demand and an inherent, non-negotiable right and is not a circumstantial situation imposed by temporary external considerations. It is an indispensable step towards laying the foundation for the rule of law and a State of institutions, to consolidate the principle of accountability and equality among citizens, safeguard the dignity of individuals and prevent abuses and violations that affect all components and segments of society.

Based on that firm conviction, my delegation believes that the mandate of the International Criminal Court regarding the situation in Libya should be carried out within the principle of complementarity with the national judicial authorities and not by excluding or replacing them, as achieving justice within the Libyan territory falls within the sovereign and legal jurisdiction of Libya. Doing so requires focusing efforts on strengthening cooperation and coordination between the Libyan judicial authorities, which have inherent jurisdiction, and the ICC, to ensure the investigation of all crimes and violations and to guarantee fair and transparent trials for the accused.

In that context, my country welcomes the positive cooperation shown by the Libyan authorities in their dealings with the ICC, as confirmed by the Prosecutor in his most recent report. We call for accelerating the pace of the ongoing investigations in the cases brought before the Court regarding the situation in Libya, with a view to completing them as soon as possible. At the same time, Algeria stresses the need for the international community, and primarily the United Nations Support Mission in Libya, to fulfil its responsibilities in supporting the justice sector in Libya by enhancing training programmes and transferring knowledge and expertise to allow the sector to effectively perform its tasks as the holder of the original and inherent jurisdiction.

The achievement of justice and the strengthening of the judiciary in Libya cannot be done in a vacuum or imposed through external dictates or policies of incentives or intimidation. It is a goal that can be achieved only by providing the necessary objective conditions, primarily political stability, security and social well-being, all of which are missing in the current Libyan landscape, despite the fact that the country has all the resources necessary for its development and economic growth. That is the result of the ongoing division and conflict driven by extreme polarization and foreign interventions, which have been exacerbated by the foreign military presence on Libyan territory, which impede all paths to a political settlement of the Libyan crisis. In that regard, Algeria reminds Council members of our duty, as an international community, to commit to supporting Libya in its efforts to end the spiral of violence. The first step in that process is the immediate and unconditional withdrawal of all foreign forces, foreign fighters and mercenaries and enabling the Libyans to determine their own destiny and manage their own affairs, free from regional tensions, struggles for influence and conflicts of interests. Libya is not a battleground, but rather an ancient country with deep historical roots, and has the potential to be a source of stability, if the conditions of peace and security are met, not only in the North African region, but in the Mediterranean basin and across the entire African continent.

Justice is a noble human principle, which is not bound by time or place. Accordingly, my country renews its call for the ICC and the Prosecutor to continue their tireless efforts to investigate the crimes that were committed and are still being committed against the Palestinian people, especially in the Gaza Strip, including the unjust blockade and the policy of starvation imposed by the occupation authorities, which has claimed the lives of thousands of innocent people in full view of the entire world. It is high time to prove that justice and respect for international law are not a sword wielded against only the weak but eternal principles that do not spare the powerful or favour the rich or reward the complicit. That is the true justice to which we should all aspire as an international community.

Mrs. Blokar Drobšč (Slovenia): I would like to thank Prosecutor Khan for his briefing and the twenty-ninth report on the situation in Libya. We regret that Prosecutor Khan was not able to be here in person, despite his willingness. We welcome the Permanent Representatives of Libya and Italy to this meeting as well.

I begin by reaffirming Slovenia's continued strong and unequivocal support for the International Criminal Court (ICC) and its Prosecutor. It is essential that both the Court and the Prosecutor are able to fulfil their mandates independently, impartially and free from external pressure. Threats or sanctions against judicial institutions or against their officials are unacceptable and should be rejected.

I would like to make the following remarks.

First, we note that the Libya investigation is near completion. We welcome the further significant progress made, especially with regards to detention facilities, which has resulted in the unsealing of the arrest warrant issued for Mr. Njeem for crimes allegedly committed in Mitiga prison. However, we strongly regret that, despite the warrant, Mr. Njeem has since been able to return to Libya. That prompts the question of what message it sends to both victims and perpetrators.

Secondly, we welcome the continued and enhanced engagement of the Office of the Prosecutor with victims' associations and civil society. A victim-centred approach and sustained dialogue with survivors are extremely important for both Libyans and migrants who have suffered the most atrocious crimes. Their right to justice and redress must remain at the heart of international efforts.

Thirdly, we encourage the Libyan authorities to strengthen the criminal justice system on the basis of established standards, with the aim of effective law enforcement. We urge them to continue and strengthen their cooperation with the Prosecutor, in accordance with resolution 1970 (2011). In that regard, we strongly welcome Libya's declaration accepting the ICC's jurisdiction. We also call on all States — whether parties to the Rome Statute or not — to cooperate fully with the Court. We remind all States that Security Council resolutions are binding and must be implemented. In particular, we emphasize the importance of executing all outstanding ICC arrest warrants in full.

This is a year of significant anniversaries. Eighty years have passed since the end of the Second World War. Soon we will mark 80 years since the signing of the Charter of the United Nations and the founding of the Organization. Yet this is also the year with the highest number of conflicts since the end of the Second World War and a year marked by continued, persistent and blatant violations and by disregard of international humanitarian law. However, this year also marks 80 years since the start of the Nuremberg trials. All those suffering amid the horrors of war and atrocities long for peace. But they also long for justice — because there cannot be the one without the other. That is what the Allies understood after the war. It is worth recalling that it was the then-Prosecutor's crucial role during the Nuremberg trials that helped establish the enduring principle that no individual, regardless of rank or status, is above the law. And it is what 125 States parties to the Rome Statute affirmed and what the Security Council recognized when it referred the Libya situation to the ICC.

Fulfilling that hope for justice is an immense challenge. It becomes even more difficult when those who are tasked with delivering justice face threats, sanctions or arrest warrants for simply doing their job and trying to rebuild one of the foundations of international peace and security. That is why we commend the ICC, and we commend Prosecutor Khan for continuing to work to fulfil his mandate with commitment and professionalism in exceedingly difficult circumstances. The Prosecutor — and the Court as a key building block of international criminal justice — deserve our full support and the support of the Council, which should stand behind its own resolutions and secure their enforcement.

Mr. Sun Lei (China) (*spoke in Chinese*): I listened attentively to Prosecutor Karim Khan's briefing, and I welcome the presence of the Permanent Representatives of Libya and Italy at today's meeting.

China took note of the twenty-ninth report submitted by the Prosecutor, particularly the relevant developments set out therein. In the light of the report and the current situation in Libya, I would like to make the following three points.

First, the International Criminal Court (ICC) should step up its cooperation with Libya. China acknowledges the reference in the Prosecutor's report that Libyan high-level officials and civil society, among others, have maintained communication and promoted cooperation with the Prosecutor's office. In advancing its investigation and follow-up along the four key lines of inquiry outlined in the report, the ICC should continue to strictly abide by the principle of complementarity enshrined in the Rome Statute; uphold its independence, objectivity and impartiality; fully respect Libya's judicial sovereignty; and accommodate the legitimate concerns of the country. At the same time, the international community should increase its support for Libya in building its own judicial capacity, so as to better leverage its own judicial institutions to combat impunity and achieve fairness and justice.

Secondly, the international community should provide more support to Libya. In the face of the current slow progress in the country's political process, the international community should respect Libya's independence, sovereignty, territorial integrity and leadership; adhere to the principle of Libyan leadership and ownership; and support all parties in Libya in rebuilding political mutual trust through dialogue and consultation towards the early establishment of unified national institutions. The ICC's work in that regard should help facilitate the political process in Libya, instead of creating new antagonism and obstacles.

Thirdly, China's position on the ICC has been consistent and clear. China supports punishing the most serious international crimes and thereby maintaining international peace and security. In dealing with all international and regional hotspot issues, the ICC should apply international law equally and avoid double standards and exceptionalism.

China has closely followed the conflict that broke out in the Libyan capital, Tripoli, in recent days. We welcome the announcement of a ceasefire by the relevant parties. China calls on all parties to remain calm and exercise restraint, avoid further escalation of the situation, resolve differences through dialogue and consultation and jointly maintain the overall peace and stability.

Mr. Cho (Republic of Korea): I thank Prosecutor Khan for his briefing on the situation in Libya. I also welcome the Permanent Representatives of Libya and Italy to this meeting.

Let me begin by expressing our deep concern about the recent significant outbreak of violence over the past few days in Tripoli. We urge all parties to refrain from hostilities and de-escalate tensions, while fully respecting international humanitarian law to protect civilians. The persistence of such instability raises concerns that it may not only pose a grave threat to the political and security landscape, but also impede the investigation undertaken by the International Criminal Court (ICC) pursuant to resolution 1970 (2011). The Court's efforts to deliver justice must not be hindered under any circumstances.

In that regard, I would like to highlight the following points.

First, we underscore the importance of sustained efforts to fulfil cooperation obligations under article 86 of the Rome Statute and resolution 1970 (2011). During the reporting period, the Court took an important step by issuing an arrest warrant for Mr. Njeem. However, the Court has continued to face serious challenges in securing cooperation. In that regard, we welcome the Prosecutor's report that the Prime Minister of Libya has taken concrete actions regarding Mr. Njeem. We look forward to seeing him brought before the Court without delay. We believe that that will send a positive message to the victims. We also hope that the pledges made by the Libyan authorities during last year's high-level meetings with the Prosecutor will translate into tangible outcomes. While we recognize the difficult conditions on the ground, timely cooperation is essential to advancing the investigations. In that regard, we welcome the new step of Libya's acceptance of the ICC's jurisdiction from 2011 to 2027. We hope that the Libyan authorities fulfil their obligations to cooperate, including the execution of arrest warrants and the granting of access to the relevant investigation files.

Secondly, we commend the Office of the Prosecutor for deepening its engagement with civil society and victims' groups, and we encourage ongoing efforts in that regard. Its extensive engagement with 80 different groups and the provision of medical and psychological support reflect a strong commitment to a victim-oriented approach. At the same time, we remain deeply concerned about mounting restrictions and threats against civil society actors in Libya. We stress the importance of ensuring the safety and independence of civil society and human rights defenders, as those are conditions essential to the restoration of justice through a victim-centred approach.

In conclusion, we recall Prosecutor Khan's remark that the situation cannot be a never-ending story. Victims deserve a conclusion that delivers justice, and we reaffirm our strong support for the ICC in upholding accountability in Libya.

Mr. Fournel (France) (*spoke in French*): I thank Prosecutor Karim Khan for presenting his twenty-ninth report submitted to the Security Council in accordance with resolution 1970 (2011).

I have four observations to make.

First, it is for good reason that the Security Council unanimously referred the situation in Libya to the Prosecutor of the International Criminal Court in 2011, and those reasons remain valid. It is important that the most serious crimes committed in Libya since 2011 be investigated and prosecuted, including the crimes committed by Da'esh and crimes committed against migrants and refugees. That is the mission of the Court, the only international permanent criminal jurisdiction with a universal vocation tasked with delivering justice to the victims of the most serious crimes. The effective prosecution and sentencing of the authors of those crimes is of universal interest.

Secondly, upon receiving the referral under those circumstances, the Office of the Prosecutor took action in Libya to good effect and in full compliance with the principles of independence, impartiality and complementarity. In that respect, France welcomes the progress accomplished by the Office of the Prosecutor towards completing the investigative phase in accordance with the road map set out in the twenty-seventh report. We note that, over the past six months, more than 20 missions were completed and more than 700 items of evidence were collected, including video and audio documents, forensic evidence and satellite images. The Office held more than 145 meetings with 80 civil society organizations over the past six months. It is crucial to ensure that victims will receive the support of the International Criminal Court, if and when convictions are handed down. We also note the Court's issuance of the first public arrest warrant on 18 January against Osama ElMasry Njeem, who is suspected of having committed a number of war crimes and crimes against humanity — acts of murder, torture, rape and sexual violence — against Libyan citizens and migrants in Mitiga prison between February 2015 and October 2024.

Thirdly, the success of the Court's endeavours presupposes Member States' full cooperation with the Court in line with their international obligations. That applies first and foremost to the Libyan authorities, whose active cooperation is pivotal. In that connection, France commends the Office of the Prosecutor's efforts to bolster and improve cooperation with the Libyan authorities, including through Prosecutor Khan's official visit to Tripoli in November 2024. The same holds true of third States, whose cooperation is required. The cooperation of all States parties is essential in seeing the judicial proceedings through to completion. Moreover, we object to any attempt whatsoever to intimidate or threaten the Court in the exercise of its independent mandate.

Fourthly, the fight against impunity contributes to the objective of returning stability to Libya and restoring its sovereignty and unity. The ICC's work in that country is, to that end, an essential complement to United Nations efforts, for which France reaffirms its support. We urge all Libyan and international actors to cooperate with the new Special Representative of the Secretary-General in order to break the political deadlock. The violence that took place in recent days in Tripoli, which we deplore, is a fresh reminder of the need to do so.

A new Government that is capable of holding presidential and parliamentary elections promptly must be formed as a matter of urgency in line with the resolutions of the Council and the aspirations of the Libyan people.

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

I thank the Prosecutor of the International Criminal Court (ICC) for his twenty-ninth report and for his briefing to the Security Council pursuant to resolution 1970 (2011). This briefing is mandated by the Security Council. I also wish to welcome the participation of the Permanent Representatives of Libya and Italy in this meeting.

We also express our regret that the Prosecutor was not able to brief the Council in person today and our fear that that might negatively affect the victims of atrocities and, consequently, criminal accountability in relation to serious international crimes. In that respect, we underscore the undertaking to uphold and defend the Rome Statute and to maintain its integrity in the face of threats and actions aimed at the Court and its officials. The report of the Prosecutor of the ICC underscores the significant progress in investigations with regard to the four main lines of inquiry, namely, the violence of 2011, crimes in detention facilities, crimes related to operations between 2014 and 2020 and crimes against migrants. We wish to underline the following in view of the approach taken by, and conclusion of, the investigative phase.

First, the level of engagement by the Libyan authorities with the Court is promising. Under resolution 1970 (2011), Libya must cooperate fully with, and provide any necessary assistance to, the Court and the Prosecutor. We welcome Libya's acceptance of the jurisdiction of the Court pursuant to article 12, paragraph 3, of the Rome Statute. However, significant challenges remain, requiring the further strengthening of cooperation by the authorities. We highlight in that regard that, according to the report, the Office is still waiting for access to investigation files and any information relating to the investigation of crimes in Tarhuna. Besides, Libya remains under the obligation to surrender the arrested suspects of those crimes to the Court. Equally, we underscore the report's finding that the degree of assistance from the Attorney General in support of the arrest warrant, the request for surrender and the ICC's investigation remains below the expected level. Yet the authorities' cooperation remains a key factor in accelerating investigations and in achieving the timely conclusion of the investigative phase.

Secondly, Greece wishes to highlight the report's approach regarding the empowerment of victims, witnesses and affected communities given the critical role of the Office of the Prosecutor's investigation. We underline that abductions of judges and lawyers, the release of the detainees from detention centres with the support of armed groups and the reported suspension of humanitarian organizations' operations clearly constitute, as the report highlights, a challenging context for the work of the Prosecutor.

Thirdly, we wish to reiterate, as the report does, the obligations of States parties to the Rome Statute and the obligations stemming from resolution 1970 (2011). The arrest warrant against Osama ElMasry Njeem is a case in point, and has a significant impact, particularly on Libya, as the report also underlines. The critical importance of cooperation with the Court is equally highlighted by the proceedings being held in third States relating to crimes against migrants, including human trafficking, hostage-taking, extortion and torture. More importantly, cooperation with the Office of the Prosecutor is critical in particular when it comes to the collection of forensic evidence by State authorities in and outside Libya and more generally by States, including Libya and neighbouring States, in support of the development of additional cases.

In conclusion, the Libyan authorities' cooperation and, in particular, faster responses to requests from the Office of the Prosecutor remain key elements in further accelerating the investigation with a view to concluding the investigative phase and forming the basis for successful prosecutions and trials.

I now resume my functions as President of the Council.

I 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 convening this meeting. I would also like to thank Mr. Karim Khan for his briefing. We took note of the twenty-ninth report on the situation in Libya.

Before I make my statement on the subject of this meeting, please allow me to refer to the particularly tragic events that took place recently in the capital, Tripoli. Those events might have come as a surprise to some Council members but, in fact, they were to be expected. Despite every effort to achieve calm and stability in my country, those events were nonetheless foreseeable because there is no prospect of a comprehensive political solution for the Libyan people — a long-standing state of affairs for many years now.

The lives of the innocent civilians that were, and continue to be, lost, together with the economic and security situation, cast a direct moral responsibility on the Council for what is happening in my country now. The Libyan people have had enough of countless repetitive international initiatives, which have all failed. If they have all failed, how can any other outcome be expected? The Libyan people have had enough of fragile transition phases and hasty solutions that exclude some parties. All of those solutions have made the prospect of establishing a State with the rule of law and of institutions ever more remote, and most importantly, the Libyan people have had enough of direct and indirect interferences in the internal affairs. The people of Libya have had enough of all forms of foreign presence on our territory. The people of Libya have had enough of attempts to undermine our sovereignty. In our view, the Security Council has a responsibility for what is happening in Libya today, having authorized measures under Chapter VII of the Charter on the pretext of protecting the civilians. It has taken hostage a political solution for 14 years. However, it has not been able to implement its resolutions, or been able to hold accountable those who impede their implementation. It has not provided practical solutions. It has not taken into account the national will and Libya's own initiatives to arrive at a Libyan-owned solution.

The unification of the country, an end to the presence of armed groups, the control of weapons by the State and building a State with the rule of law and institutions — that is a dream of all Libyans. To that end, we need to support the national will, put an end to all of the transition phases and an open a pathway towards elections. In brief, what the Council is doing today is an attempt to manage the crisis rather than resolve it. What we need is a drastic solution to the crisis. We do not want it to be prolonged.

I would now like to return to the topic of today's meeting, namely, the International Criminal Court. We welcome the ongoing collaboration between Libyan officials and the Court, including the recent agreement on extending the investigations until 2027 and the important achievements mentioned in the report. In all of our statements made here, we have insisted on the following points.

First, the mandate of the International Criminal Court is rooted in the principle of complementarity. The Libyan justice system has the primary responsibility for investigating and holding to account those who perpetrated crimes in our country. Our system has the capacity and the will to conduct fair trials. I note that, in accordance with our laws, there is no statute of limitations for the crimes in question. Libyan prosecutors in fact have the information they need on the arrest warrants and the subsequent measures. We follow up on those very closely. The Libyan Attorney General's Office is very actively looking into in the various cases and has made great strides when it comes to the circumstances under which some of those crimes were committed. Again, our investigators are capable of investigating those crimes.

Among important cases being pursued, we are following up on the disappearance of Mr. Ibrahim Al-Dersi, a member of the House of Representatives who went missing a year ago. Libya's Prosecutor General established an investigative committee in that connection and is personally overseeing it. That effort includes interviewing various parties in order to determine Mr. Al-Dersi's fate, especially given the recent video that

everyone has seen of him being humiliatingly detained, which made a strong impact on all Libyans. It is an especially undignified scene, showing him tied up in a clearly medieval manner.

Other kidnappings have also taken place. Ms. Seham Sergewa, also a member of the House of Representatives, has also gone missing, among other activists and citizens all over the country. That is something that worries everyone in Libya.

Based on the principle of complementarity, we emphasize the need for cooperation between the local investigative committee and the international body. We request that all of the evidence be provided to the Office of the Prosecutor General in order to enable him to conclude the investigation. Furthermore, we ask that the Prosecutor General and the Court be in touch with those States to which the accused have fled, in particular persons linked to crimes committed in Tarhuna, where mass graves were discovered. The Security Council has a responsibility in that regard. It can call on those States to turn over the accused immediately and without delay.

Justice in Libya is part of our comprehensive national project. We need it to build the rule of law. We need to rebuild our institutions. Positive cooperation between our judicial system and the international community on the basis of respect for sovereignty and the principal of complementarity is the best way to ensure the rights of victims and achieve sustainable justice.

The President: I now give the floor to the representative of Italy.

Mr. Massari (Italy): I thank Mr. Karin Khan, Prosecutor of the International Criminal Court (ICC), for presenting his twenty-ninth report pursuant to resolution 1970 (2011).

Italy has consistently supported the activities of the International Criminal Court (ICC) since its establishment, while also complying with the Rome Statute. We are the fifth-largest contributor to the Court's budget and have also contributed to the development of its human capital through training initiatives. The standing of the Court before the international community and its value as an organ of international criminal law can increase as the Court strengthens its professionalism and effectiveness, while maintaining its integrity and independence unaffected by political considerations.

With regard to the case of Mr. ElMasry Njeem, which the Prosecutor mentioned during his briefing to the Council today, Italy would like to make the following observations.

Italy has responded with the collaborative attitude to the requests both from the Pre-Trial Chamber and the Office of the Prosecutor. The mutual, constructive spirit in the engagement with the Court was confirmed by the fact that the Court granted an extension for the submissions of Italy's observations in the ongoing proceedings concerning the surrender to the Court of Libyan citizen Njeem. As agreed with the Court, on 6 May Italy submitted a memorial outlining the facts and circumstances of the case and providing the reasons for the decisions to release, and subsequently deport, Mr. Njeem to Libya, in conformity with a request by Libyan authorities. Those arguments are based not only on domestic security concerns, but also on the principle of the Court's complementarity when it comes to criminal jurisdiction, which is one of the pillars of the Rome Statute. In the memorial submitted to the Court, Italy therefore provided arguments related to security, legal and procedural aspects in order to demonstrate that it had not failed to abide by the obligation to cooperate with the Court.

Finally, let me express Italy's deep concern about the recent eruption of violence in Libya and reaffirm our steadfast commitment to peace and stability in the country.

The meeting rose at noon.