

**Statement by Switzerland and Japan**  
**ICC Co-Focal Points in the UNSC**  
**Stakeout to the Press**  
**The situation in Libya (ICC referral pursuant to resolution 1970)**  
**New York, 8 November 2023**

We would like to make this statement on behalf of the following members of the Security Council, as well as incoming members, that are States Parties to the Rome Statute of the International Criminal Court (ICC): Albania, Ecuador, France, Gabon, Ghana, Guyana, Malta, the Republic of Korea, Sierra Leone, Slovenia, the United Kingdom, and our own countries, Switzerland and Japan.

We thank the ICC Prosecutor, Mr. Karim Khan, together with his team, for presenting the 26<sup>th</sup> report of his Office to the United Nations Security Council on the situation in Libya, in accordance with the mandate provided by Security Council resolution 1970.

We recognize the efforts made by the Prosecutor's Office to advance the implementation of the renewed strategy for action on the situation in Libya, submitted in April of 2022. In particular, we welcome the significant progress made in the four lines of inquiry identified in the strategy, and note that the Office anticipates to be in a position to outline a potential roadmap for the completion of its activities under resolution 1970 in its next report.

We also welcome that the Office's continuous presence in the region has enabled it to further intensify contact with victims, victims' associations, and civil society organizations, thus enriching its investigations and providing access to key potential evidence. Moreover, we recognize the support provided to the Prosecutor's office by the United Nations Support Mission in Libya, and welcome the coordinated investigative activities and international cooperation with third states and international agencies.

We note the recent positive engagement by the Libyan authorities and express our hope for continued cooperation, including on visa issuance, access to documents, engagement with relevant technical authorities, and responses to requests for assistance. We take note of efforts to this end, including towards establishing a liaison office in Tripoli.

We reiterate that we will continue to comply with our cooperation obligations under the Rome Statute and encourage all States to fully support the Court in carrying out its important mandate of ensuring justice for the victims of the most serious crimes under international law.

Finally, we reconfirm our unwavering support for the Court as an independent and impartial judicial institution of last resort, we reiterate our commitment to uphold and defend the principles and values enshrined in the Rome Statute and to preserve its integrity undeterred by any threats or measures against the Court, its officials and those cooperating with it, and we renew our resolve to stand united against impunity.

Thank you.