

# Tackling impunity through the ICC

Thank you, Mr President.

Mr President, it is a pleasure to see the Prosecutor, Madame Bensouda, with us today, albeit in a slightly different format from what we are used to. I would like to thank the Prosecutor for briefing us today on her nineteenth report to the Security Council on the situation in Libya.

The United Kingdom strongly supports the work of the International Criminal Court to tackle impunity and hold accountable those responsible for the most serious crimes in Libya. The Court's work is of vital importance, especially given the continued, flagrant breaches of international humanitarian law, including the ongoing targeting of civilian infrastructure, and violations and abuses of international human rights law. It is particularly appalling, at a time when countries are facing an unprecedented shared-threat from COVID-19, that healthcare facilities are among the civilian infrastructure, apparently, being deliberately targeted. Civilians, including migrants and refugees, are paying an unacceptable price with their lives during this conflict. The United Kingdom is clear in its view that civilians should be protected in armed conflict, and when they are targeted – including through sexual and gender-based violence – those responsible for violations of the law, should be held accountable. The United Kingdom will continue to support the ICC in the crucial role it has to play in making this happen. We welcome the progress the Prosecutor is making in her investigations, including her work on new warrants.

Mr President, The United Kingdom is grateful for the Prosecutor's updates on the cases against Mr Qadhafi, Mr Al Werfalli and Mr Al-Tuhamy. We note the rejection of Mr Qadhafi's appeal by the ICC's Appeal Chamber, when it upheld the decision of the Pre-Trial Chamber and dismissed Mr Qadhafi's admissibility challenge. We note with particular concern reports of Mr Al-Werfalli's continued involvement in serious crime three years after the first arrest warrant was issued for him.

We continue to support the Prosecutor's call for all relevant states, including states parties to the Rome Statute and non-states parties, to cooperate with the ICC in the arrest and surrender of warranted individuals.

Mr President, we note the reports of escalating violence in and around Tripoli leading to the death, injury and displacement of significant numbers of civilians. Reports of shelling and airstrikes that may constitute a violation of international humanitarian law are especially worrying. It is not acceptable that civilians, including migrants and refugees, remain at risk; this is why it is imperative that all parties cease fighting.

The United Kingdom notes the references in the Prosecutor's report once again to indiscriminate abductions, arbitrary detentions and extra-judicial killings; these are unacceptable. We are particularly concerned that MP Siham Sergewa remains missing and we are pleased that the ICC's investigations

continue.

Mr President, it is clear that the ongoing conflict is having an unacceptable impact on the humanitarian and human rights situation in Libya. We continue to urge the Libyan parties to cease fighting and engage in constructive dialogue. An inclusive political solution – as set out by the Berlin Conference – offers the best hope for the stability and future prosperity that the Libyan people need and deserve. We continue to call on all parties to the conflict to comply with their obligations under international law, including international humanitarian law.

Support for international criminal justice remains central to the United Kingdom's foreign policy. We continue strongly to support the mission of the ICC, including getting justice for victims, and are committed to continuing to provide our full support to the Prosecutor and her team in their ongoing investigations in Libya.