

# TWENTY-SIXTH REPORT OF THE PROSECUTOR OF THE INTERNATIONAL CRIMINAL COURT TO THE UNITED NATIONS SECURITY COUNCIL PURSUANT TO RESOLUTION 1970 (2011)

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### **EXECUTIVE SUMMARY**

This is the 26<sup>th</sup> report of the Office of the Prosecutor further to Resolution 1970 (2011), through which the Council referred the situation in Libya to the Prosecutor of the ICC.

On 10-11 September 2023, unprecedented flooding from Storm Daniel destroyed large parts of Derna and surrounding areas and killed thousands of people. The Office wishes to express its sincere condolences to the Libyan families and communities affected by the tragic loss of life and destruction of hospitals, schools, residences and infrastructure.

In this reporting period, the Office has continued implementation of its renewed strategy for the Situation in Libya, originally outlined in the Twenty-Third Report of the Prosecutor of the International Criminal Court ("ICC or "Court") to the United Nations Security Council (April 2022 Report).

The Libya Unified Team (the "Team") has achieved significant progress across the four key lines of inquiry established under the investigative strategy of the Office, through independent investigative activities and drawing on cooperation with affected communities, civil society organisations, international organisations and States Parties.

As a result, significant landmarks have been achieved in the discharge of the mandate of the Office in the reporting period, including:

- The Team undertook over 15 missions in three regions, collecting over 4,000 items of evidence, including video and audio material, forensic information, satellite imagery as well as conducting numerous witness screenings and interviews.
- The Office has made particular progress with respect to the key line of inquiry
  addressing crimes related to the 2014-2020 operations. Lines of investigation
  against key suspects have been successfully concluded. The Office is now
  approaching the stage where investigative activities in relation to this priority
  line of inquiry can be assessed as complete.



- Positive progress has also been made with respect to the lines of inquiry addressing detention facilities and crimes against migrants.
- The Office has accelerated its engagement with national authorities pursuant to the principle of complementarity, actively contributing to investigations conducted by the domestic law enforcement agencies of six State Parties into international crimes committed in Libya and continuing the strong cooperation with domestic authorities, including within the Joint Team on crimes affecting migrants.
- The team has successfully finalised the transition of its evidence-holding process to the Office's cloud-based evidence management system, allowing the Libya team to draw on artificial intelligence and machine-learning tools including automatic transcription and translation of video and audio material.
- The Office has launched OTPLink, a digital platform allowing for a more secure, safe and rapid submission of information from external stakeholders, including potential witnesses, to the Office of the Prosecutor in relation to the situation in Libya and other situations addressed by the Office.
- The Team has further increased contact with victims, victims' associations and representatives and other civil society organisations on the situation in Libya, supported by a continuous presence by the Office in the region. This increased engagement has enriched the investigation, providing access to key potential evidence and witnesses.

These results were achieved despite ongoing challenges caused by the complex political landscape and security situation in Libya, and the continued resource pressures faced by the Office as a whole. The Office notes that it was also unable to obtain visas to Libya in this reporting period for operational-level field missions, though recent engagements with the Government of Libya have reflected a positive stance with respect to future cooperation.



Based on the progress made since the establishment of the renewed investigative strategy of the Office set out in its  $23^{\rm rd}$  Report to the Council, the Office anticipates that in its subsequent Report to the Council it will be in a position to outline a potential roadmap for completion of activities by the Office pursuant to Resolution 1970 (2011).



### I. INTRODUCTION

- 1. Through Resolution 1970 (2011), the Council referred the situation in Libya as of 15 February 2011 to the Prosecutor of the International Criminal Court ("ICC" or "Court").
- 2. This is the third report since the Prosecutor set out the renewed strategy and roadmap in relation to the situation in Libya, reflecting the key principles for renewed action, key lines of inquiry, and detailed landmarks against which the effectiveness of its work may be measured.
- 3. This report provides an update on the progress and developments within each of these areas, outlining the main steps taken in this reporting period, following the format of past reports. The report further reflects on the key challenges faced in the conduct of investigative activities in this reporting period and outlines the updated priorities of the Office for the next six months.
- 4. It is recalled that upon assuming office, the Prosecutor immediately and voluntarily recused himself pursuant to article 42(6) of the Rome Statute in any case where a conflict of interest may arise due to his prior participation in ICC proceedings as counsel. In relation to any line of inquiry in which this recusal applies, responsibility for oversight of investigations has been taken by Deputy Prosecutor Nazhat Shameem Khan.
- 5. The Office wishes to express its deepest sympathy to the Libyan people, and specifically the affected families and communities, on the tragic loss of thousands of lives, property and infrastructure resulting from the floods in eastern Libya on 10-11 September 2023.



### II. PROGRESS ON THE ROADMAP

- 6. In his report to the UNSC of April 2022, the Prosecutor set out the four priority lines of inquiry in the Libya investigation as well as key principles for renewed action in the Libya situation, specifically:
  - (a) prioritisation of the situation and the allocation of resources to reflect this;
  - (b) a reinvigorated approach to empowering those impacted by alleged crimes in Libya;
  - (c) a fresh approach to engagement with Libyan authorities; and
  - (d) the establishment of a proactive policy of cooperation with third States, regional organisations and international partners.
- 7. In the previous three reports, the Prosecutor enumerated a number of benchmarks and progress updates. The further progress made in relation to these benchmarks is discussed in this report within the limits of confidentiality, as required for investigation and judicial proceedings.

# (i) Progress on the key principles for renewed action

- a. Ensuring the effective allocation of resources
- 8. The Libya situation remains a priority for the Office given its status as a referral from the United Nations Security Council. While the Office continues to work to add to the resources allocated to the Libya situation, the team benefitted greatly from the appointment of seconded experts from State Parties, including an investigator specialised in sexual and gender-based crimes. The Office anticipates being in a position to allocate further national seconded experts in 2024 to the situation in Libya as well as appoint a new International Cooperation Advisor.



- 9. Based on the fundamental strategic review of the work of the Office conducted this year, serving as the basis for the recently launched 2023 2025 Strategic Plan¹, the Office has identified a significant overall resource shortfall within the Office's regular programme budget. As a result, the Office has requested an increased budget in the Proposed Programme Budget for 2024 in order to address key strategic risks identified. A priority in this respect is the enhancement of the capacity of the Office to investigate financial flows and proceeds of crime for the situation in Libya and other situations.
- 10. The Proposed Programme Budget which the Office has presented seeks to implement the renewed vision of the Office to deliver significantly improved impact through increased focus of investigative and prosecutorial activities while supporting deeper and more rapid action across situations. As a priority for the Office, the Libya investigation will benefit significantly if this proposed programme budget is approved, supporting an injection of capacity that will allow the Office to accelerate action towards completion of the four key lines of inquiry identified in the investigative strategy.
- 11. The Office reiterates its gratitude for the contribution of extrabudgetary resources from States Parties in response to the Note Verbale of 7 March 2022. These resources continue to provide support across the Office and to the Team, supplementary and complementary to its regular budget.
  - b. Empowering victims, witnesses and affected communities
- 12. In line with its investigative strategy in relation to this situation, the Office has continued its efforts to further strengthen engagement with Libyan and non-Libyan victims, witnesses and affected communities.
- 13. The Team has engaged extensively with civil society organisations both in and outside the region in the advancement of investigations across key lines of inquiry. The Office has in particular had significant engagement with civil society organisations in relation to Article 15 communications received by the

<sup>&</sup>lt;sup>1</sup> https://www.icc-cpi.int/news/office-prosecutor-strategic-plan-2023-2025



Office with respect to the situation in Libya during this and previous reporting periods.

- 14. During the last reporting period, the Office held a multi-day training seminar with Libyan civil society organisations to discuss the application of the *Guidelines for civil society organisations in documenting international crimes and human rights violations* (the 'Guidelines')<sup>2</sup>. Through this seminar, jointly hosted with the International Commission of Jurists, staff members of the Office and civil society partners discussed the Guidelines in the context of the situation in Libya. The Office and participants addressed general principles such as the 'do no harm' principle and issues such as informed consent. The Office also provided modules on, *inter alia*, the planning and preparation of evidence-collection activities, security, and working with vulnerable persons.
- 15. In mid-November, the Office will be organising a Roundtable on the topic of "Trauma-informed approach to investigations and prosecutions", bringing together experts on trauma, mental health professionals, academics and civil society dealing with traumatised survivors of conflict and/or mass violence. Both through its own investigations and through its engagement with civil society, the Office consistently sees the impact of trauma on victims and witnesses, including in the situation in Libya. Early and consistent approaches across organisations who interact with victims and witnesses is key to ensuring the provision of effective support to those affected.
- 16. During the reporting period, the ICC also held its annual round table meetings with civil society organisations working on many situation countries, including Libya, jointly hosted with the Coalition for the International Criminal Court. Representatives across the Court provided updates on situation-specific operations and challenges. Participants from the Libya situation referred to the restrictions on engagement with civil society organisations in Libya,

<sup>2</sup> As reflected in previous reports, these Guidelines were produced by the Office together with the European Union Agency for Criminal Justice Cooperation and the European network for the investigation of war crimes, crimes against humanity and genocide, with a view to empowering civil society organisations to document international crimes in a manner aligned with the practice and needs of domestic and international criminal investigative authorities.



emphasised concerns with respect the continued plight of migrants in Libya as well as the need to support rights of the Defence.

- 17. The Office reiterates that survivors and the families of victims are at the heart of this investigation. The team continued to strengthen its engagement with victims and affected communities during this reporting period, with a focus on also providing medical and psychological support as needed. Reflecting the priority given by the Office to ensuring effective psychological support, the Office is presently recruiting seven additional staff members with specialisation in psycho-social support, which will be deployed across situations including Libya.
  - c. Strengthening cooperation with Libyan national authorities
- 18. As underlined in previous reports and by the Prosecutor during his visit to Libya in November 2022, cooperation with the Libyan authorities and a greater partnership between the Office and Libya remains a key component of the Office's work in this situation.
- 19. To foster this cooperation and to implement commitments established prior to and during the Prosecutor's visit, the Office has been regularly liaising with relevant national authorities and seeking meetings at both the senior and technical level, with varied success. Notably, in the last reporting period, the Office sought visas several times for an operational-level visit to Libya to meet with technical counterparts and to continue its engagement with Libyan authorities. Ultimately, the Libyan authorities did not issue visas to the Office as requested.
- 20. However, the Office notes with optimism the recent engagement of the Libyan Embassy in the Netherlands since the arrival of the new Ambassador, H.E. Mr Zeiad S. S. Daghim and the confirmation received that following the instruction from the President of the Presidential Council, H.E. Mr. Mohamed al-Menfi, the Embassy will extend full cooperation with the Office, in particular the issuance of requested visas for technical visits including with respect to support in the conduct of forensic activities. Discussions have also addressed support for the planned next visit of the Prosecutor to Libya. It is the intention of the Prosecutor



to travel for his second official visit to Tripoli, Libya in the coming reporting period. The Office will be actively pursuing these discussions in the near future and anticipates that substantive progress can be reported in the next term.

- 21. The Office also wishes to recognise the serious impact of the recent floods to both Libyan people and the relevant authorities, occurring at a time when it was hoped that the latest planned operational missions of the Office could be undertaken.
- 22. In seeking to further deepen its cooperation with Libyan authorities, the Office notes that it maintains the following key cooperation aims, as reported previously:
  - Provide access to documentation relevant to investigations of the Office as requested through formal requests for assistance;
  - Support engagement with relevant technical authorities in Libya including those involved in forensics and crime scene analysis;
  - Ensure prompt responses to all requests for assistance submitted by the Office to the Libyan authorities;
  - Ensure prompt responses to all visa applications submitted by the Office to the Libyan authorities.
- 23. The Office wishes to reaffirm its commitment and willingness to cooperate and work with Libyan authorities, in line with its renewed strategic approach to deliver on these objectives and support successful completion of investigative activities across key lines of inquiry.
- 24. The Office also remains committed to progressing discussions with the Libyan authorities for the introduction of an OTP liaison office in Libya with a focus on the Court's mandate to enhance cooperation and complementarity in addition to investigations and prosecutions.



- d. Increasing avenues for accountability: Cooperation with third States, international and regional organisations
- 25. The Office has continued to engage extensively with third States, and international and regional organisations, to support its investigative and prosecutorial activities in relation to the Libya situation, advance its four key lines of inquiry and ensure effective implementation of the principle of complementarity at the heart of the Rome Statute.
- 26. In particular, during this reporting period, the Office has continued direct support to six national law enforcement agencies, by sharing information, evidence and by executing Requests for Assistance to the Office through which States have sought information from the Office with a view to progressing their own inquiries. Pursuant to this collaborative approach, the team undertook joint interviews with national authorities, held regular meetings with domestic partners and agencies, and shared knowledge, networks and information in line with the cooperation framework of the Rome Statute.
- 27. The team has had productive engagement with the Fugitive Tracking Unit of the International Residual Mechanism for Criminal Tribunals and Interpol, and has received active support from States and organisations including UNSMIL, Europol, Spain, the Netherlands and the United Kingdom. The Office particularly wishes to thank Italy, Tunisia, Germany and Canada for their support to the Office's investigations during this reporting period.
- 28. The Office continued to work closely in this reporting period with the Joint Team investigating crimes against migrants on the Central Mediterranean Route, which the Office formally joined in 2022. This cooperation included completion of several investigative missions and the holding of weekly information-sharing meetings with these key partners in order to ensure that its work progresses at speed. An expert-level meeting of the Joint Team partners was held at the end of October, to share investigative and legal updates and to prepare for a strategical-level meeting to be held in December.



- 29. The team has continued to focus its attention on how engagement with national authorities can be used to ensure that interviews are conducted in a manner that avoids the need for duplicative work which may result in re-traumatisation of victims.
- 30. The team will continue to focus its efforts on ensuring impunity and accountability through focus on complementary prosecutions not just at the ICC but also at the national level.

# (ii) Progress in the investigation

- 31. As outlined in previous reports, the Office is engaged in four key lines of inquiry in the Libyan situation, namely: (a) 2011 violence; (b) crimes in detention facilities; (c) crimes related to the 2014-2020 operations; and (d) crimes against migrants.
- 32. In the last reporting period, the Office undertook over 15 missions, supporting the collection of over 4,000 items of evidence, including video and audio material, medical and forensic information and satellite imagery. Over 20 interviews were conducted, mostly in person and some remote, with over 30 witnesses screened and assessed in relation to key lines of inquiry.
- 33. In the course of its investigation, the Office has taken the accounts of a broad range of people, from victims to experts and persons of interest from all parts of Libya to establish the truth and to build strong, fair cases. The Office has collected statements and received information from many different sources which it reviews, assesses and includes in the investigation.
- 34. During the reporting period, the Office launched OTPLink <sup>3</sup>, a publicly accessible portal designed for the streamlined submission of Article 15 communications. OTPLink is engineered to be a single-access point that supersedes the various systems and procedures previously employed for receiving information, including submissions under Article 15 of the Rome Statute. This modernised platform offers users a secure, simple channel for real-

<sup>3</sup> https://otplink.icc-cpi.int/



time evidence submission from any device with internet connectivity. This has allowed the team to receive multiple communications during the reporting period relevant to the situation in Libya from victims, witnesses, affected communities, CSOs and from groups involved in the conflict.

### a. 2011 violence

- 35. As noted in past reports, the Office has, over the course of its investigations since the referral of the situation by the Security Council, collected credible and extensive information concerning violence committed against demonstrators and opponents of the former Gaddafi regime in 2011, including crimes committed in detention. The Office issued a number of public arrest warrants in relation to these crimes. At present, there is one outstanding public arrest warrant in relation to this investigation, namely the arrest warrant against Saif Al-Islam Gaddafi.
- 36. The Office continues to explore opportunities for arrest and prosecution in relation to this line of inquiry.

### b. Detention facilities

- 37. Addressing impunity for Rome Statute crimes committed against Libyans and non-Libyans in detention centres in Libya continue to represent a priority for the Office.
- 38. The Office notes the most recent report by Secretary General of the United Nations Support Mission in Libya in which he expresses his concern about "human rights violations, including abductions, arbitrary arrests and disappearances in the East and West". The Office shares this concern and stresses its continued focus on ensuring accountability for such crimes in Libya.
- 39. During this reporting period, the Office significantly strengthened its collection and analysis of evidence in relation to the commission of a range crimes committed at detention centres across the country under the responsibility of many different groups and authorities. The team collected over 20 screenings and witness statements, as well as medical records, photographs, videos relevant to this line of inquiry.



40. In this part of the investigation, the team was able to draw on enhanced forensic medical capacity recently established in the Office in order to support the assessment of torture injuries allegedly inflicted on victims. For all interviews conducted, team investigators have been assisted by psycho-social support. In this particular investigation, the team provides significant support to witnesses on security and medical/ psycho-social assistance, including with the help of domestic authorities.

### *c. Crimes related to the 2014-2020 operations*

- 41. The Office continues to analyse and assess evidence related to alleged extrajudicial killings, abductions, desecration of bodies, enforced disappearance, hostage taking, sexual violence, pillaging, indiscriminate airstrikes, the use of mines, and the destruction of property.
- 42. The Office has made significant progress in parts of this line of inquiry and has concluded certain lines of investigation in relation to key suspects. The Office is now approaching the stage where this part of the situation investigative strategy can be assessed as complete.
- 43. This progress has been made possible, in particular, through the extensive support and engagement of survivors and their family members, witnesses and civil society organisations.

# d. Crimes against migrants

44. Impunity for crimes against migrants has been a consistent feature in Libya which continues to this day. The Office recalls Resolution 2647 of the Security Council in 2022, which expressed "grave concern at the humanitarian situation in Libya, including [...] the smuggling of migrants and refugees and human trafficking through Libya, and at the situation faced by migrants, refugees and internally displaced people (IDPs), including arbitrary detention, ill treatment, their exposure to sexual and gender-based violence".



- 45. In this reporting period, the Office has advanced its investigations in this line of inquiry through increased engagement with victims of these crimes including sexual and gender-based crimes, crimes against children, enslavement, torture, arbitrary detention and killing. As referenced, above the Office has further intensified its engagement with the Joint Team established with a number of national authorities in order to support these investigations.
- 46. To support its increased investigative activities, the Office has assigned experts to the Libya Unified Team with significant knowledge of human trafficking in the region and of the activities of the Joint Team investigating these crimes.
- 47. Through its weekly engagement with members of the Joint Team, the Court continues to actively pursue future cases in this area both domestically and at the Court. In this reporting period, cooperation with law enforcement agencies within the Joint Team was significantly intensified. In-person meetings were held in June and October to bring together the investigators and analysts of the Office, Europol and the respective domestic teams to discuss the state of play in investigations and operational matters. A meeting between Heads of Unit and Team Leaders was held in October. An additional meeting on arrest strategies was organised in September.
- 48. Since April, weekly meetings, both in person and online, have been held to coordinate, assess and divide the investigative and analytical work amongst partners. By combining common efforts, the Office and domestic partners work as efficiently and swiftly as possible, building on each other's work, preventing duplication of activities and ensuring vulnerable victims are not re-traumatised from multiple interviews. As a current priority, the Office is presently working with domestic authorities in the joint analysis of hundreds of statements in support of the Office's investigation.
- 49. As part of its engagement with national authorities with respect to crimes against migrants, the Office has also recently transmitted requests for assistance to two countries, requesting large volumes of specific information and evidence, in particular digital evidence. The new technological and analytical resources implemented across the Office as part of the overall renewal of its technological infrastructure under Project Harmony will then enable the team to assess and



analyse information quickly and efficiently, using tools including automatic transcription and translation of audio and video materials.

- 50. During the reporting period the team was able to collect over 20 screenings and statements relevant to this line of inquiry, some jointly with domestic partners, and with the support of psycho-social experts. The team was able to meet and connect with witnesses and civil society organisations in at least seven different countries in Europe, Africa and other regions.
- 51. The Office notes that witness accounts describe a harrowing journey by sub—Saharan Africans who have been treated and used as property or merchandise. They describe alleged acts of rape, torture, and cruel treatment in warehouses and detention centres run by militia and traffickers, where hundreds of migrants are held hostage sometimes for years. Smugglers reportedly extort ransom from family members in African and European countries. Accounts include victimisation of a large number of children and women in these detention centres.
- 52. Other forms of evidence collected confirms these accounts, including of migrants being bought, sold, forced to labour, held hostage before being put on boats on the Mediterranean.
- 53. According to recent reports by the International Organisation for Migration, in 2023, over 12,000 people on boats were intercepted and returned to Libya. Among them were 400 children. According to latest numbers, over 2,000 migrants died or are missing on the Central Mediterranean Route in 2023 alone.
- 54. Several incidents drew particular attention in the last six months, including the drowning of over 50 people whose bodies washed ashore in the western part of Libya and the capsizing of a boat departing from the east of Libya with over 750 migrants, resulting in the death and disappearance of hundreds, including many children.
- 55. In the last reporting period, this part of the investigation has profited from secondments of national experts with expertise on SGBC and human trafficking.



### III. CHALLENGES

- 56. Security issues remain one of the main challenges to the work of the Office in the Libya investigation, while it also continues to seek to enhance cooperation with Libyan counterparts.
- 57. In previous reports, the Office set out clear metrics for successful cooperation with the Libyan authorities. These metrics have not been met. The Office requires open communication lines with the Libyan authorities, timely responses from them and the issuance of visas to support its work as mandated by Resolution 1970 (2011). The Office however welcomes future engagement by the Libyan authorities to work towards our joint goal of accountability for crimes committed across Libya. As reflected above, recent engagements have indicated a more positive trajectory may be anticipated in the coming reporting period.
- 58. As noted in the last report, the serious budgetary limitations which the Office faces represents a significant risk to its ability to fulfil its mandate. The Office hopes that its request for additional resources for 2024 will be met in order to allow it to fulfil its expected deliverables in respect of the Libya situation and to move towards a potential successful fulfilment of the mandate provided through Resolution 1970 (2011).

# IV. LOOKING FORWARD

59. As part of its reporting for this period, the Office has conducted an assessment of the benchmarks it had set in its previous report. Many of these benchmarks have been met. With respect to those benchmarks relating to cooperation with Libyan authorities, the Office continues to stand ready to embrace complementarity as a foundation for its engagement with Libyan national authorities and to reinvigorate the cooperation it had established with the Libyan authorities in 2022.



# (i) Assessment of objectives

- Continue the process of enhancing digital storage and evidence-processing capacity, artificial intelligence and machine learning: This benchmark has been partially met. Since the last reporting period, the team has made notable strides in modernising its technical operations. We have successfully transitioned our evidence-holding process to the Office's advanced cloud-based evidence management system. This transition has not only streamlined our storage capabilities but also set the foundation for the integration of advanced features that are pivotal to our operations. Among these are the capabilities for machine translation, image analysis, and video and audio analysis. The Office is now assimilating these functionalities into its daily investigative and analytical activities.
- Continue to enhance the field presence in the immediate region in order to improve direct engagement with victims / witnesses and civil society organisations: This benchmark has been met. The team has had a near continuous presence in the immediate region during this reporting period. The team has held weekly meetings with civil society organisations as well as engaging directly with victims and witnesses on a daily basis.
- Continue to strengthen engagement with Libyan civil society: This
  benchmark has been met, including through implementation of the
  Guidelines in documenting international crimes and human rights violations
  and the establishment of expanded fora for dialogue. The Office emphasizes
  the difficulties of engaging with Libyan CSOs due to the current legal
  situation in Libya with respect to such interactions.
- Increase the number of operational missions to Libya to further strengthen cooperation and investigation: This benchmark has not been met. The Office has remained unable to obtain visas to enter Libya in this reporting period. Recent engagements with Libyan authorities have indicated that this position may be resolved positively in the near term.



- **File for arrest warrant(s) in priority lines of inquiry:** The Office continues to strive to apply for additional arrest warrants in relation to the Libya situation. As referenced above, it has also now moved to the stage of completion of investigations in key lines of inquiry, reflecting progress in investigative activities.
- Further develop the collection of forensic evidence and strengthen the
  forensic capacity of partners in Libya: This benchmark has partially been
  met. A clinical doctor was contracted to support the investigation, with
  positive results. The Office continues to stand ready to support the forensic
  capacity in Libya subject to the need for further engagement with the Libyan
  authorities.
- Increase the analytical capacity of the team, through digital and technical support and through additional support from analysis assistants: This benchmark has been met. In this reporting period, the team has received additional support in terms of analysis.
- Increase the legal capacity of the team, through secondment and recruitment, and increase the Team's ability to cooperate with countries, agencies and civil society organisations through recruitment of an international cooperation advisor: This benchmark has been partially met. Recruitments are nearly complete, and it is hoped that this benchmark will be fully met in the next reporting period.

## (ii) New and continuing objectives

- 60. On the basis of the progress made and new challenges identified by the Office in this reporting period, the following areas have been identified for priority action of the Office in the next six months:
  - Accelerate activities with a view to finalising investigative activities across a number of lines of inquiry in upcoming reporting periods;



- Strengthen cooperation with States to support the development and presentation of additional cases at both the domestic and international level, in line with the principle of complementarity;
- Continue to strengthen engagement with Libyan civil society, including through further engagement within the framework of the *Guidelines for civil society organisations in documenting international crimes and human rights violations*;
- Further strengthen the collection of forensic evidence, harnessing the forensic capacity of partners in and outside Libya. This will include at least one technical mission to Libya to support collection and analysis of forensic evidence by domestic authorities;
- Further develop artificial intelligence and machine learning of the Office in support of the Libya investigation, with the team able to draw on video and audio assets more effectively as part of investigative and analytical activities;
- Strengthen resources across the team in order to ensure that the above deliverables can be met.

### V. CONCLUSION

- 61. This reporting period has seen continued progress in the investigation into the situation of Libya and further steps in delivery on the principles and objectives set out in the renewed strategy outlined by the Prosecutor in April 2022. The Office remains committed to implementation of this strategy as a basis for effective implementation of its mandate set by the Council in relation to the situation in Libya.
- 62. Investigative activities have moved to an advanced stage across a number of key lines of inquiry. With respect to investigations in relation to the 2014-2020 operations, the Office has moved towards completion of the investigation phase.



- 63. As the Office seeks to further consolidate and accelerate this progress in the coming reporting period, it will draw on the continued innovations being introduced in its analytical and technological framework, while also seeking to further deepen its collaboration and cooperation with all relevant actors including survivor groups, States, civil society and international and regional organisations.
- 64. In light of the renewed commitment of relevant Libyan authorities to facilitate the Office's access to Libya, notably through issuance of visas, the Office expects to be able to accelerate cooperation in Libya in the coming reporting period, retaking the momentum established through the 2022 visits of both the Deputy Prosecutor and Prosecutor to Libya and the planned investigative and complementary-related activities described in the last report.
- 65. In 2024, the Office will also seek to advance work towards the establishment of an OTP Liaison Office in Tripoli to continue strengthening the agreed cooperation and complementarity activities of the Office, and deepen its engagement with Libyan authorities, survivors and the families of victims.
- 66. The establishment of such a presence will be of particular value and relevance as the Office looks towards outlining a potential roadmap for completion of activities by the Office pursuant to Resolution 1970 (2011).