COUR PÉNALE INTERNATIONALE
LE BUREAU DU PROCUREUR



INTERNATIONAL CRIMINAL COURT
THE OFFICE OF THE PROSECUTOR

THIRTY-SECOND REPORT OF THE PROSECUTOR ("Office" or "OTP") OF THE INTERNATIONAL CRIMINAL COURT TO THE UNITED NATIONS SECURITY COUNCIL PURSUANT TO RESOLUTION 1970 (2011)

EXECUTIVE SUMMARY 2

I. INTRODUCTION 6

II. PROGRESS ON THE ROADMAP 6

(i) Progress on the key principles for renewed action 7

a. Empowering victims, witnesses and affected communities 7

b. Strengthening cooperation with Libyan national authorities 8

c. Increasing avenues for accountability: cooperation with third States, international and regional organisations 8

d. Ensuring the effective allocation of resources 10

(ii) Progress in the investigation 10

a. 2011 violence 10

b. Crimes in detention facilities 11

c. Crimes related to the 2014-2020 operations 15

d. Crimes against migrants 15

III. PROGRESS ASSESSMENT AND CHALLENGES 19

(i) Assessment of objectives over reporting period 19

(ii) Key challenges 21

a. Security and political situation in Libya 21

b. Arrest of suspects in Libya 22

c. Office resources 22

IV. LOOKING FORWARD 23

(i) Judicial and investigative activities 23

(ii) Strengthen complementarity partnerships 23

(iii) Increase focus on tracking and arrest 24

(iv) Strengthen use of financial investigations 24

V. CONCLUSION 24

EXECUTIVE SUMMARY

The Prosecutor of the International Criminal Court ("ICC" or "Court") submits this 32nd report pursuant to UNSC Resolution 1970 (2011) ("UNSCR 1970"), through which the Council referred the situation in Libya to the ICC.

The report provides an update on the activities of the Libya Unified Team (the "Team") since May 2026, with emphasis on significant achievements in judicial proceedings, investigations, and in cooperation with relevant stakeholders. The report also highlights that this progress has been achieved despite ongoing challenges encountered by the Team, and the ICC as a whole, in this reporting period.

Key developments since May 2026, include:

- **Decisions of the ICC Pre-Trial Chamber to commit the case against Khaled Mohamed Ali EL HISHRI to trial, and confirm jurisdiction of the ICC:** On 16 July 2026, the Pre-Trial Chamber issued its decision on the confirmation of charges. The judges confirmed all 17 alleged counts of war crimes and crimes against humanity against Mr El Hishri, including murder, torture, persecution, enslavement, and the rape of and sexual violence towards Libyan men and women, as well as African migrants between 2014-2020. On 14 September 2026, the Trial Chamber constituted by the Presidency set the start of the trial against Mr El Hishri for 4 May 2027.

  On 15 July 2026, Pre-Trial Chamber I had unanimously held that the ICC has jurisdiction in this case. The Majority found a sufficient link between the alleged crimes committed by Mr El Hishri and the situation of crisis that triggered UNSCR 1970. Mr EL HISHRI has appealed the decision.

  This marks the first trial at the ICC in the Libya situation since the referral by the Council in 2011.

- **Status of proceedings against Osama Elmasry NJEEM:** On 30 April 2026, Mr NJEEM filed a challenge to the ICC's jurisdiction and to the admissibility of his case at the ICC. The State of Libya filed observations at the end of May 2026. The Office's response to this challenge was filed in July 2026, as was the response from the Office of Public Counsel for Victims. On 2 November 2026, the Pre-Trial Chamber unanimously rejected Mr NJEEM's challenge to the Court's jurisdiction over his case, concluding that UNSC Resolution 1970 and Libya's declaration under article 12(3) of the Rome Statute confers jurisdiction on the ICC. With regard to Mr NJEEM's challenge to the admissibility of his case, the Chamber requested him to provide any additional information that may be relevant to his challenge by 29 January 2027.

- **Progress with key lines of inquiry**: Investigations related to ongoing key lines of inquiry in the Libya situation continue to progress, despite activity in this period requiring enhanced focus on the case against Mr EL HISHRI. During the reporting period, the Team undertook over 19 missions in eight States, collecting over 1842 items, including video and audio material, forensic evidence, satellite imagery and numerous witness screenings and interviews.

- **Strengthened work with Libyan national authorities:** The Office's cooperation with the Government of Libya and the Presidential Council remained constructive, with thanks to the Ministry of Foreign Affairs and the Embassy of Libya to the Netherlands. His Excellency President Mohamed Younis El Menfi, President of the Presidential Council of Libya, issued a public statement endorsing Libya's declaration to the ICC under article 12(3) of the Rome Statute and requesting technical assistance from the Court for a domestic investigation into an alleged planned terrorist attack aimed at inflicting grave and direct damage to civilian infrastructure.

  Further to this public statement, on 11 September 2026, the Office formally received the State of Libya's Request for Assistance, authorised and endorsed by their Excellencies Mr Mohamed Younis Al-Menfi, President of Presidential Council of Libya and Mr Abdul Hamid Dbeibah, Prime Minister of Libya. The Office welcomes engagement with the Government of Libya in relation to the

Request as a further sign of the strengthened partnership and collaboration between the Office and the Government of Libya. It also welcomes Libya's continued commitment to cooperate with the ICC pursuant to its Declaration under Article 12(3) of the Rome Statute.

This positive dynamic of engagement was also reflected in the vote of Libya at the United Nations General Assembly on 3 November 2026, supporting the Annual Report of the ICC to the Assembly and adopting resolution A/81/L.11.

The Office takes this opportunity to thank their Excellencies the President of Presidential Council and the Prime Minister for their support, and also extends its appreciation to the Ambassador of Libya to the Netherlands His Excellency Mr Zeiad Daghim for continued cooperation on several ICC requests.

- The Office's support of national investigations conducted in other jurisdictions has also led to positive judicial developments. The case of Kidane Zekarias Habtemariam, accused of extensive allegations of human trafficking, entered into a new judicial phase with a pro-forma hearing held before a Dutch court on 28 October 2026.

- **Engagement with civil society partners:** Collaboration with civil society remained a key pillar of the work of the Libya Unified Team, with progress in the courtroom giving rise to renewed and increased engagement from CSOs and affected communities in relation to the situation in Libya. On 14 July 2026, Deputy Prosecutor Nazhat Shameem Khan held the fifth periodic meeting with more than 43 CSOs and human rights activists since 2024. Overall, the Office has held more than 143 interactions and engagements with CSOs, human rights defenders, and victims' associations during the reporting period.

- **Death of Saif Al Islam GADDAFI:** The Office has received the death certificate of Saif Al Islam GADDAFI from the Attorney General of Libya. In due course, the Pre-Trial Chamber will determine whether to discontinue the arrest warrant.

The above illustrates another reporting period of continued progress and increased momentum in the Situation of Libya. The decision to confirm all charges and to commit the case against Khaled EL HISHRI to trial on 4 May 2027 is a turning point towards justice for victims of international crimes in Libya, highlighting the consolidated partnership of the Office with Libya and other States in pursuit of justice.

The concrete progress being delivered for victims in the situation in Libya has however been forged in the face of direct attacks on the Court and its personnel. On 9 October 2026, the ICC as an institution was designated for sanctions by the United States Government.

This represents a serious, profoundly difficult moment, but also a moment the Court has sought to prepare for. Work has carried on, the mandate of the Office continues to be implemented. Despite the continued focus of the Office on completion of the investigation phase in 2027, the extent and severity of the coercive measures taken against the Office may nevertheless impact this timeline. The Office will report to the Council in this regard in the coming reporting period while remaining committed to its objective, across situations, to deliver its activities efficiently and with focus.

The progress reflected in this report was made possible thanks to the cooperation of the partners of the Office. The OTP expresses its gratitude to the Libyan national authorities, States Parties, civil society organisations, individuals, victims and local communities who demonstrated their continued and unwavering support for the independence, impartiality, and integrity of the ICC.

This is a period in which engagement and partnerships with victims and national authorities by the ICC have reached record levels, while the coercive acts against it also increase. The Office will continue to work with dedication in the coming period to ensure that the forces of partnership, international law and a common commitment to justice prevail.

I. INTRODUCTION

1. Through UNSC Resolution 1970 (2011), the Council referred the situation in Libya to the Prosecutor of the ICC as of 15 February 2011.

2. This report provides an update on the main developments in this reporting period (May – November 2026) in line with its strategic approach with respect to the situation in Libya, addressing in particular: (i) the key principles for renewed action; (ii) the key lines of inquiry; and (iii) the landmarks against which the effectiveness of the Office's work can be measured. The report then identifies the key challenges faced in the last six months and sets out the renewed priorities for the upcoming period.

II. PROGRESS ON THE ROADMAP

3. The strategic approach of the Office with respect to Libya remains founded on four priority lines of inquiry as well as the following four key principles for renewed action in the situation:

   a) empowering victims, witnesses and affected communities;
   b) a fresh approach to engagement with Libyan authorities;
   c) the establishment of a proactive policy of cooperation with third States, regional organisations and international partners; and
   d) prioritisation of the situation and the allocation of resources to reflect this.

4. The progress on each key principle is set out below within the limits of confidentiality, as required for the integrity of ongoing criminal investigations and consistent with ICC legal framework and judicial orders.

(i) Progress on the key principles for renewed action

a. Empowering victims, witnesses and affected communities

5. The activities in this reporting period highlight the results delivered by the Office through its efforts to deepen partnerships with Libyan and international civil society organisations ("CSOs") in realisation of its mandate pursuant to Security Council resolution 1970 (2011).

6. On 14 July 2026, Deputy Prosecutor Nazhat Shameem Khan held a periodic meeting with more than 43 CSOs and human rights activists in relation to the situation in Libya. This is the fifth such meeting since the inception of these regular engagements in 2024, reflecting the consistent, proactive approach by OTP leadership to maintain dialogue and strengthen engagement with victims, witnesses and affected communities. This major roundtable was complemented by consistent engagement by the Team with CSOs and human rights defenders throughout the reporting period, through weekly bilateral communications and periodic meetings at various levels. A total of over 143 interactions and engagements were held with CSOs, human rights defenders, and victims' associations during this period.

7. In these engagements, CSOs emphasized even greater trust in its work as a result of the recent judicial developments in the situation in Libya. Several CSOs and victims have closely monitored the judicial proceedings in the case against Mr EL HISHRI, and expressed hope in the results that can be delivered for affected communities.

8. CSOs and human rights activists expressed scepticism regarding the separate challenges by Mr EL HISHRI and Mr NJEEM to the Court's jurisdiction, as well as to Mr NJEEM's challenge to the admissibility of his case before the ICC, considering their assessment that domestic courts are unable to prosecute Mr NJEEM and other leaders of armed forces and militias due to security threats.

9. The next roundtable will take place in early 2027. Given the success of this dialogue, the Office is drawing on the model of strategic situation-specific engagement and seeking to expand it to other situations.

b. Strengthening cooperation with Libyan national authorities

10. In a public statement issued on 19 September 2026, President EL MENFI endorsed Libya's article 12(3) declaration to the ICC that was submitted in May 2025. Through that same declaration, President EL MENFI requested assistance from the ICC in the Libyan domestic investigation into an alleged terrorist plot on civilian infrastructure in Tripoli and the Zawiya area and sought technical and legal support for the competent Libyan authorities. The request also sought the participation of ICC experts in a manner that supports the efforts of the national authorities to uncover the circumstances surrounding the attack and prosecute those responsible. In the statement, Libya also expressed its readiness to broaden the scope of cooperation with the Office.

11. The Office welcomes this renewed engagement with Libyan authorities, which has been continually strengthened over recent reporting periods. The Office will now be engaging positively in relation to this request, in line with its policy on Complementarity and Cooperation.

c. Increasing avenues for accountability: cooperation with third States, international and regional organisations

12. During the reporting period, the Office has continued to directly support national law enforcement agencies from a number of ICC States Parties in the context of the Libya situation. For example, the Office has shared information and evidence, and provided other forms of support, to eight domestic authorities during the reporting period, including through the execution of incoming Requests for Assistance through which States seek to progress their own investigations. The Team continued to hold regular meetings with domestic partners and agencies, and shared knowledge, networks and information in line with the cooperation framework of the Rome Statute.

13. The Office also remains committed to supporting the Libyan judiciary – where possible and in line with a burden-sharing approach – to end impunity and establish justice for all victims, despite signs of inability and fragmentation in the judicial institutions in the east and west regions of the country.

14. The Office transmitted 11 Requests for Assistance to eight entities (States and relevant organisations) during this reporting period.

15. The Office also continued to work in this reporting period with the Joint Team investigating crimes against migrants on the Central Mediterranean Route, which the Office formally joined in 2022.

16. This cooperation included several investigative missions with these key partners (the Netherlands, Italy, the United Kingdom, Spain and Germany with the support of Europol), ensuring that the work of the Joint Team continues to progress expeditiously. Expert-level meetings of the Joint Team partners were held in June and September 2026 with law enforcement and prosecutorial authorities to share investigative and legal progress updates, to discuss any challenges encountered and to harness collective efforts to reach outcomes. The next meetings will be held in December 2026.

17. On 19 October 2026, the Office and senior representatives of the Joint Team participated in a side event co-organised by ICC and EUROJUST with support from the United Nations Office of Drugs and Crime during the Conference of the Parties to the United Nations Convention against Transnational Organised Crime. The discussions focused on the achievements delivered through the Joint Team cooperation model and highlight ways of strengthening cooperation between national authorities and the ICC where conduct may constitute both transnational organised crime and Rome Statute crimes, including where the Office may be able to provide support and information relevant to domestic proceedings.

d. Ensuring the effective allocation of resources

18. The situation in Libya remains one of the highest priorities for the Office, both as a referral from the Security Council and in light of the forthcoming commencement of trial proceedings.

19. Significant resources will continue to be required during the judicial phase, particularly in support of trial preparation, to discharge disclosure and witness protection obligations, and courtroom activities. As reflected below, this requirement is however impacted by both limited existing resources Office-wide and the impact of the coercive environment faced by the Court.

(ii) Progress in the investigation

20. As outlined in previous reports to the Council, the Office is engaged in four key lines of inquiry in the situation in Libya: (a) 2011 violence; (b) crimes in detention facilities; (c) crimes related to the 2014-2020 operations; and (d) crimes against migrants.

21. In this reporting period, the Office undertook over 17 missions, supporting the collection of over 1300 items, the screening and assessment of more than 41witnesses and the conduct of over 16 interviews.

22. The Office continued to seek and receive the cooperation of States Parties and non-States Parties to the Rome Statute, and other key partners.

a. 2011 violence

23. 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 sought the issuance of four public arrest warrants in relation to these crimes.

24. In this reporting period, the Office requests the Libyan authorities to confirm reports of Saif Al-Islam GADDAFI's death in February 2026.

25. As previously indicated, the Office has concluded its core investigative activities into crimes under the Rome Statute in relation to this line of inquiry. The Office however remains available to engage with and support domestic authorities. During the reporting period, the Office received requests for assistance from two national law enforcement and prosecutorial authorities related to the period covered by this line of inquiry.

b. Crimes in detention facilities

26. The Office continues to make progress in its investigations into crimes that have taken place in detention facilities in Libya. The upcoming trial against Mr Khaled EL HISHRI relates to crimes committed against detainees at Mitiga Prison in Tripoli, as set out further below.

27. In the last reporting period, on 30 April 2026, the Defence for Mr EL HISHRI challenged the Court's exercise of jurisdiction over his case before Pre-Trial Chamber I.

28. On 15 July 2026, Mr EL HISHRI's jurisdictional challenge was rejected by Pre-Trial Chamber I. Mr EL HISHRI appealed Pre-Trial Chamber I's decision, and this matter presently remains pending before the Appeals Chamber.

29. On 16 July 2026, Pre-Trial Chamber I unanimously confirmed all charges against Mr EL HISHRI and determined that there was sufficient evidence for his case to proceed to trial. Mr EL HISHRI is charged with 17 counts of crimes allegedly committed against hundreds of victims of crimes against humanity and war crimes. The charges include murder, outrages upon personal dignity, cruel treatment, torture, sexual violence, rape, arbitrary imprisonment, enslavement and persecution committed primarily at Mitiga Prison between May 2014 and June 2020 against Libyan men and women, and against migrants.

30. In its decision to confirm the charges, Pre-Trial Chamber I found substantial grounds to believe that Mr EL HISHRI was a senior member of the Special Deterrence Force also commonly known as "RADA", an organisation that was later granted an official mandate as the Deterrence Apparatus for Combatting Organised Crime and Terrorism. It also found substantial grounds to believe that Mr EL HISHRI committed numerous crimes in and around Mitiga Prison personally, as well as jointly with and/or through others, or by ordering, inducing or aiding and abetting in the commission of crimes.

31. The decision to confirm the charges included a number of novel findings, including in relation to enslavement and persecution. The Pre-Trial Chamber held that enslavement formed part of the wider attack on the civilian population and that it was evidence of the existence of a common plan to mistreat persons under the control and custody of the Mitiga perpetrators. It also found that the enslavement was institutionalised and systematic. The Pre-Trial Chamber confirmed four counts of persecution and held that the various grounds of persecution - gender; religion; nationality, race and ethnicity; political - were intersecting.

32. Trial Chamber VII held the first status conference on 3 September 2026 to discuss matters related to the start date for trial, with the Prosecution, the Defence, the legal representatives of victims and the Registry. The topics included disclosure, agreed facts between the parties with input from the legal representatives of victims, various protocols established for efficient proceedings and witness security.

33. On 14 September 2026, Trial Chamber VII decided that Mr EL HISHRI's trial will commence on 4 May 2027. The start of trial proceedings in the situation of Libya is a significant milestone in the ICC's work towards accountability for victims and affected communities.

34. The Trial Chamber set a series of deadlines for the Prosecution to disclose evidence to the accused and his Defence team and to submit (i) the Pre-Trial Brief (a document which sets out the Prosecution's factual and legal arguments in

support of the confirmed charges, as well as the evidence upon which it relies); (ii) the provisional and final lists of witnesses and evidence; (iii) applications for the admission of testimonial evidence under Rule 68 of the Rules of Procedure and Evidence; (iv) applications for in-Court protective measures and for special measures. It also set a deadline for any motions requiring resolution prior to trial and for the Defence to provide notice of any contested issues.

35. As the trial date approaches, the Prosecution underlines that it is an offence under the Rome Statute to corruptly influence a witness, obstruct or interfere with the testimony of a witness, retaliate against a witness for giving evidence, or destroy, tamper with or interfere with the collection of evidence.

36. As previously reported, the first public arrest warrant stemming from the Office's investigations into alleged crimes in Mitiga Prison was issued by the Pre-Trial Chamber on 18 January 2025 against Osama Elmasry NJEEM, Director of Mitiga Prison, for crimes including murder, outrages upon personal dignity, cruel treatment, torture, sexual violence, rape, arbitrary imprisonment and persecution committed at Mitiga Prison from February 2015 onwards.

37. On 30 April 2026, Mr NJEEM challenged the ICC's jurisdiction on the basis that (i) the case against him does not fall within the parameters of the situation that triggered the UNSC referral; and (ii) the investigation against him in Libya ousts ICC jurisdiction. Mr NJEEM does not argue that the article 12(3) declaration submitted by the State of Libya is invalid; to the contrary he accepts its legal validity.

38. Mr NJEEM also challenged the admissibility of his case before the ICC on the basis that there exist ongoing proceedings in Libya against him that are substantially similar to the Court's proceedings. He asserts that the Libyan proceedings are genuine and that Libya is willing and able to investigate and prosecute him. He claims that complaints were made against him when he was director of the Tripoli Main Reform and Rehabilitation Institution (Mitiga Prison) for "substantially the same conduct and factual matrix as referred to in the Warrant of Arrest against him" and claims that the Attorney General of Libya initiated criminal proceedings

alleging cruel, inhuman and degrading treatment for the period of 2015-2025 and acts of torture, forced disappearance and discrimination. Mr NJEEM claims that he has been detained in Libya since November 2025.

39. On 21 June 2026, the Libyan Attorney General's Office issued a public statement confirming that a criminal court in Tripoli had convicted Mr NJEEM of crimes committed against detainees at the Main Reform and Rehabilitation Facility in Tripoli (the Mitiga Prison) and had sentenced him to seven years and four months in prison with additional sanctions for one year following his term of imprisonment. Despite requests, the Office has yet to receive information from the Libyan Attorney General related to the investigation, the decision to convict and sentence Mr NJEEM or to provide information confirming Mr NJEEM's detention. The Office received credible reports that Mr NJEEM is not currently detained, has been moving freely and has been meeting with State forces and regional militia.

40. On 2 November 2026, the Pre-Trial Chamber unanimously rejected Mr NJEEM's challenge to the Court's jurisdiction over his case, concluding that UNSC Resolution 1970 and Libya's declaration under article 12(3) of the Rome Statute confers jurisdiction on the ICC. With regards to Mr NJEEM's challenge to the admissibility of his case, the Chamber requested him to provide any additional information that may be relevant to this challenge by 29 January 2027.

41. On 30 October 2026, the United States designated Mr NJEEM and his wife, Aml Faraj Mohamed Makhluf, over "involvement in gross violations of human rights" including torture and cruel, inhumane, and degrading treatment of detainees in Mitiga and al Jadida prisons and murder, forced labour, and targeting of Christians and members of other minority groups.

42. The Office is actively pursuing this line of inquiry and continues to strengthen its collection and analysis of evidence of crimes committed at detention centres across the country under the responsibility of different groups and authorities. During this reporting period, the Team collected over 50 screenings and witness statements, as well as medical records, photographs, and videos relevant to this line of inquiry.

43. The Team continues to assess the sufficiency of evidence to apply for additional arrest warrants. For reasons of confidentiality, security and arrest strategies, such applications and warrants may not be known to the public immediately.

c. Crimes related to the 2014-2020 operations

44. The Office remains committed to seeking accountability for the crimes committed during the 2014-2020 operations. The Office sought and the Judges of the Court issued eight public arrest warrants related to this line of inquiry to date. At least two of the suspects against whom ICC arrest warrants have been issued are detained in Mitiga Prison under the control of the Libyan authorities in relation to domestic investigations.

45. The ICC is engaging with the State of Libya to execute all outstanding arrest warrants, including the warrant against Saif SNEIDEL and those suspects of committing crimes in Tarhunah, and to surrender the suspects to the ICC in accordance with UNSC Resolution 1970 (2011).

46. The Office continued to strengthen its investigation in this line of inquiry and gather, analyse and assess evidence related to a range of other crimes committed during the 2014-2020 operations, including by securing a number of witness statements.

47. The Team continues to assess the sufficiency of evidence to apply for additional arrest warrants.

d. Crimes against migrants

48. The Office maintains a consistent focus on crimes against migrants in Libya.

49. The overall situation of migrants in Libya has remained largely unchanged, despite the efforts of some State authorities and increased cooperation between Libya and relevant regional and international stakeholders. According to the

International Organisation for Migration, there has also been a slight increase in migration flows to Libya as compared with the same period last year.

50. As the Office has repeatedly reported to the UNSC since November 2016, segments of the migrant population in Libya have been subjected to crimes under the jurisdiction of the Court.

51. In the decision to confirm the charges in the case against Mr EL HISHRI, Pre-Trial Chamber I found that migrants detained primarily in Mitiga Prison were targeted based on their nationality, racialised ethnicity and perceived irregular migration status, and treated as inferior to the alleged perpetrators and other detainees. They were deprived of fundamental rights, including the rights to life, to liberty and security, and to freedom from torture and slavery, and subjected to forced hazardous labour and compelled to participate in crimes against other detainees, including torture.

52. In parallel with its investigative activities, during the reporting period, the Office strengthened its cooperation with the Joint Team through operational, expert-level and bilateral meetings held in July and September 2026. These exchanges advanced the Office's investigations, supported national investigations, and enabled partners to coordinate investigative priorities, analytical work, financial-investigation efforts and the future structure of cooperation.

53. As part of these efforts, the Office and its partners exchanged operational information and explored broader engagement with community organisations, charities, and community leaders to identify potential witnesses. Such engagement aims to create appropriate opportunities for victims' accounts to be heard and reflected in ongoing investigations across the jurisdictions of each partner.

54. The discussions on operational updates demonstrated that partner investigations remain active. Exchanges also addressed developments in migration routes from western and eastern Libya, the risks faced by migrants during dangerous crossings, and the role of transnational facilitation networks.

55. Analytical cooperation also advanced during the reporting period. Building on the operational event hosted by Europol, as reported in the 31st Report to the Council, the analytical cooperation gained new impetus and delivered concrete results. With support from the Royal Netherlands Marechaussee and drawing on numerous identifiers, the Office presented additional analytical approaches. Joint Team partners welcomed the results and expressed interest in developing them further, recognising the importance of this work in identifying connections, mapping relevant actors and determining further investigative steps.

56. Financial investigations remained a central component of the Joint Team's activities. Partners examined the increasing digitisation of tools and platforms used by criminal networks and considered analytical and operational approaches to better understand the evolution and adaptation of criminal structures, identify key figures, trace financial activity and disrupt the infrastructure supporting migrant-smuggling and related criminal networks.

57. The discussions also explored capacity-building opportunities to strengthen the ability of national authorities to conduct complex financial investigations. The Office's participation provides an opportunity to share its experience and specialised knowledge, particularly in cases involving cross-cutting issues and complex financial dimensions.

58. These activities reflect the sustained engagement of Joint Team partners. The Office notes with appreciation their continued support, including through investigative updates, information sharing, analytical assistance and contributions to training and capacity-building activities. Partners also conveyed a clear and strong message of support for the activities of the Office and the Court.

59. The Office and its partners continue to discuss a durable basis for cooperation outside the Joint Team's current structure which is set to change in 2027. The Office remains committed to this long-standing cooperation and considers it important that any future arrangement preserve operational cooperation, enable the continued participation of relevant partners, and maintain effective

information exchange in accordance with applicable arrangements and established legal frameworks.

60. The nature of the current investigations and the intersection between Rome Statute crimes and regional challenges remain closely linked to the cooperation mechanisms within which the Team operates.

61. In this context, the Office held a meeting with Anti-Smuggling and Anti-Trafficking Unit with the Directorate-General for Migration and Home Affairs (DG HOME) of the EU Commission. The discussions highlighted the direct link between migrant smuggling activities and the broader ecosystem surrounding the commission of Rome Statute crimes, reinforcing the relevance of examining these phenomena in a connected manner. They further demonstrated the value of sustained engagement with all relevant counterparts, particularly where investigative priorities intersect with broader regional efforts to address migrant smuggling and trafficking.

62. The Office will continue to support national proceedings and coordinated investigative activities while pursuing its own investigations into crimes against migrants. This combination of international and domestic action remains essential to addressing the criminal networks that exploit migrants, ensuring the effective use of available evidence and creating space for the voices of victims and affected communities to be heard. In this context, representatives of CSOs expressed their support for the Office's efforts to ensure that victims' voices can be heard and reflected in the ongoing investigation.

63. In the reporting period, the case against Kidane Zekarias Habtemariam entered a new judicial phase. On 28 October 2026, Kidane appeared before a Dutch court in a pro-forma hearing, marking the first concrete step towards trial. Kidane is accused, *inter alia*, of participating in a criminal organisation involved in human smuggling, hostage-taking, extortion and violence, including sexual violence. The investigations have been conducted by the Royal Netherlands Marechaussee in cooperation with the Office, Italy and with the support of Europol. The Office continues to closely follow developments in the proceedings.

III. PROGRESS ASSESSMENT AND CHALLENGES

64. As reflected above, the Office made significant and positive progress across key benchmarks this year. This section provides a brief overview of the assessment of its work against those benchmarks, as well as a summary of ongoing challenges faced in the implementation of the mandate provided by the Council.

(i) Assessment of objectives over reporting period

- **Accelerate activities with a view to finalising investigative activities across a number of lines of inquiry:** This benchmark has been partially met. As reflected in section I of this report, while significant investigative progress has been made in this period, the Team's work has been primarily focused on the judicial proceedings in the case against Mr Khaled EL HISHRI.

- **Strengthen cooperation with States, including Libya and neighbouring States, to support the development and presentation of additional cases at both the domestic and international levels, in line with the principle of complementarity:** This benchmark has been partially met. Pursuant to its policy on Complementarity and Cooperation, the Office continued to contribute actively to investigations conducted by the domestic law enforcement agencies of eight States Parties into alleged international crimes committed in Libya. While there remains a measure of cooperation with Libyan authorities, as evidenced by Libya's recent request for assistance to the ICC and recommitment to its 2025 declaration under article 12(3) of the Rome Statute, cooperation on the execution of the arrest warrant for suspects residing in Libya remains unsatisfactory. Similarly, the progress of trials in Libya for these suspects remains questionable, given that ICC suspects remain at liberty in Libya, and that the Office has received insufficient responses from the Attorney General to its requests for information on Libyan investigations or status of arrests.

Libya's acceptance of the exercise of jurisdiction by the ICC, under article 12(3) of the Rome Statute and its reaffirmed commitment through an additional request for assistance in recent months, however, remain a strong demonstrated commitment of the ICC's role and contribution to justice and accountability in Libya. While the Office continues to explore ways in which it can support Libyan judicial institutions in their efforts to end impunity and hold the perpetrators of international crimes accountable, signs of inability and fragmentation in the judicial institutions remained constant during the reporting period.

- **Continue to strengthen engagement with civil society:** This benchmark has been met, including through engagements by the Team and the Deputy Prosecutor. Since May 2026, more than 143 interactions took place.

- **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:** This benchmark was not met. The Office is assessing how it can further strengthen engagement with relevant counterparts in Libya in order to extend forensic evidence-collection.

- **File for arrest warrant(s) in priority lines of inquiry:** The Office investigates with a view to seeking new arrest warrants in relation to the Libya situation with regard to the evidence. Due to the confidentiality of arrest warrant applications, it will only be possible to refer to any such actions publicly once the judges make such applications public.

- **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:** This benchmark remains partially met, with continued progress during the reporting period. The Team is increasingly integrating artificial intelligence and machine-learning tools into investigative and analytical workflows, enhancing its ability to review and analyse large-scale datasets and to draw

more effectively on video and audio assets. Their integration is also improving the efficiency of review and analysis. The Team continues to explore and assess additional tools to strengthen investigative, analytical and operational activities and support judicial proceedings.

- **Continue to strengthen resources for the Team across all lines of investigation to ensure that all the above deliverables can be met:** The Team benefitted from additional legal and analytical resources in preparation for the upcoming trial. The Office is committed to meeting this benchmark but must contend with the competing priorities across all situations under its responsibility. Such competition must lead inevitably to the identification of priorities in the conduct of its missions and other investigative work.

(ii) Key challenges

a. Security and political situation in Libya

65. On 30 August 2026, rival eastern and western Libyan political factions signed an agreement in Tripoli intended to pave the way toward national elections within a two-year framework. In early October 2026, the House of Representatives (HoR) based in Benghazi implemented new rules to limit the term of the speaker and deputy speakers to 12-month periods.

66. The security situation in Libya remains fragile, and while militias continue to maintain significant strength in western and eastern Libya, heavy clashes broke out in western Libya in May 2026 following the killing of Abdelghani Ghneiwa al-Kikli, commander of the Stability Support Apparatus (SSA). Local fighting has been repeatedly reported during this period in Zawiya and areas with oil refineries. The security situation in the south also remains precarious.

67. This volatile security situation presents a challenge to the Office's ongoing investigations, operations and to the security of victims and witnesses.

b. Arrest of suspects in Libya

68. Significant challenges exist in executing arrests in relation to ICC suspects present in the territory of Libya. The cooperation of the Attorney General of Libya remains below expectations.

69. On 21 June 2026, the Libyan Attorney General's Office published a statement that the Criminal Court of Tripoli had convicted Mr NJEEM for violating the rights of detainees at the Main Tripoli Correction and Rehabilitation Facility and had sentenced him to seven years and four months imprisonment, along with the deprivation of his civil rights for one year following the completion of his sentence. The Office has however received credible reports that Mr NJEEM is not in detention in Libya and has attended meetings with various State forces and regional militia after the alleged conviction and sentence.

70. The Office sent an official request to the Attorney General's Office for information related to the investigation of Mr NJEEM, the conviction and sentencing decision(s), and details of his alleged detention. The Attorney General's Office has not responded to date. The Office calls on the Attorney General of Libya to respond to this request and other pending its Requests for Assistance in relation to the ICC case against Mr NJEEM and other lines of inquiry.

71. Libya remains under an obligation to surrender persons against whom the ICC has issued arrest warrants. Thereafter any applicable admissibility challenges may be brought, if warranted. The Office has, to date, received information that Mr Osama NJEEM remains at large in Libya.

c. Office resources

72. The availability of core resources remains a challenge for the Office in the fulfilment of its activities in the situation in Libya and other situations. The Office continues the constructive dialogue with States Parties in budget discussions to ensure that resources are made available to the Office to fully deliver its expected

results across situations including Libya, while recognising the challenging financial contexts many States face.

73. The Office continues to prioritise its resources to pursue its strategic objectives in all the situations in which it is engaged. The referrals from the UNSC such as Libya are amongst the highest priorities of the Office, in particular in relation to the case going to trial.

IV. LOOKING FORWARD

74. The focus of the Office in the situation in Libya in the coming period will be centred on the following priority areas:

(i) Judicial and investigative activities

75. The Office will continue to prioritise in the upcoming reporting period on the preparations for and start of the trial of Mr EL HISHRI, scheduled to commence on 4 May 2027.

(ii) Strengthen complementarity partnerships

76. Based on further consultations with key stakeholders, the Office will also continue to develop and implement complementarity activities with relevant national authorities and maintains its readiness to cooperate with Libyan authorities. Where possible, such activities will be conducted through a burden-sharing approach in line with the policy on Complementarity and Cooperation.

77. These ongoing complementarity activities will include continued engagement with the Joint Team on crimes committed against migrants. The Office remains committed to this partnership.

(iii) Increase focus on tracking and arrest

78. The Office continues to place increased emphasis on fugitive tracking, financial investigations and arrest strategies.

79. The Office emphasises that cooperation and complementarity are key to this progress and to achieve accountability. A level of accountability may be possible if the Libyan judicial system is supported. The Office, however, continues to assess that some criminality and some armed actors remain outside the prosecutorial reach of competent Libyan authorities.

(iv) Strengthen use of financial investigations

80. The Office has expanded its Financial Investigation Unit to trace proceeds of crimes for investigations into core international crimes and any eventual freezing or seizure orders for reparations to victims. It also partners with State authorities and organisations in these investigative activities.

81. The Office will seek to increasingly leverage this function and capacity with respect to the situation in Libya in the coming period.

V. CONCLUSION

82. The Office made significant progress in the situation of Libya during the reporting period.

83. With the confirmation of the charges against Mr EL HISHRI, trial proceedings are scheduled to begin for the first time since UNSC Resolution 1970 (2011). The Office's priority in the upcoming period is the preparation for the first trial proceedings in the Libya situation.

84. The Office will continue its collaboration and cooperation with all relevant actors including survivor groups, States, civil society and international and regional organisations.

85. The Office will also continue to engage with Libyan authorities on cooperation and complementarity in the coming reporting period and expects that all relevant Libyan authorities in the west and the east of the country will reciprocate.

86. The UNSC unanimously referred the situation in Libya to the ICC for investigation in 2011. In recent times, and in particular in this reporting period, the Office has seen real momentum and real results delivered for victims in accordance with this mandate through cooperation across all actors.

87. While recent sanctions imposed on the Court may affect aspects of its operational capacity, the Office remains focused on ensuring continuity of its work in pursuit of accountability for atrocity crimes committed in the situation in Libya. Through its work with all stakeholders, the Office will seek to ensure that the will of the victims for justice will prevail.