



**Kingdom of Belgium**

Speech by H.E. Mr Philippe Kridelka, Ambassador, Permanent Representative

to the United Nations Security Council

**Security Council Meeting**

**The situation in Libya (reference to the ICC pursuant to Resolution 1970)**

New York, 10 November 2020

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Madam President,

I would like to thank the Prosecutor, Ms Fatou Bensouda for her written report and her highly informative briefing which she has just presented to the Council.

Today, I would like to address three points: the need for justice for the victims of the most atrocious crimes in order to achieve peace in Libya; the indispensable cooperation of all stakeholders, without which the International Criminal Court cannot implement its mandate; and finally, Belgium's firm and unwavering support for the Court and its personnel.

Firstly, Belgium would like to congratulate the Libyan parties on signing a ceasefire agreement on 23 October under the auspices of the United Nations. Yesterday's first face-to-face meeting of the Libyan Political Dialogue Forum in Tunis, with a view to reaching a lasting political solution, is another important step forward. A key element in achieving peace and stability in Libya will undoubtedly be to **bring justice to the victims** of the most serious crimes committed by all parties to the conflict.

In this context, the International Criminal Court can play an important role by continuing to support the efforts of national authorities in this area. In this regard, Belgium notes with great satisfaction that the Office of the Prosecutor has made considerable progress in its investigations and that it is continuing to work actively with the Libyan authorities, in particular with a view to supporting national cases involving allegations of crimes against refugees and migrants.

Secondly, I would like to reiterate the extent to which the ICC depends on the **cooperation of all relevant stakeholders** to succeed in its mandate. Obviously, this primarily concerns States, as stipulated in Resolution 1970 of this Council. In this respect, Belgium welcomes the efforts made by the competent Libyan authorities. In particular, they have organised two field missions for the Office of the Prosecutor, along with the collection and preservation of evidence for future investigations. My country strongly encourages all those who have made a positive contribution to peace and reconciliation in Libya to cooperate with the Court. I am thinking in particular of the steps that could be taken to facilitate access to the entire Libyan territory or the execution of the Court's outstanding arrest warrants by arresting the fugitives and handing them over to the ICC. This last point also concerns third countries where some of these suspects have been located, such as Egypt.

Cooperation with the Court also involves organisations such as EUROPOL and the United Nations. The strengthening of the working relationship between the Office of the Prosecutor and UNSMIL is to be welcomed. However, it is not acceptable that this Council has still not covered the expenses related to the referral to the Court, in accordance with Article 115(b) of the Rome Statute. It is unusual to place the financial burden of these investigations solely on the States Parties, particularly at a time when additional resources are needed to advance the Office's investigations in Libya.

Madam President, in conclusion, allow me to reiterate once again Belgium's **unwavering support for the ICC as an independent and impartial judicial institution**. My country deplores the application of sanctions against the Court and in particular, against its Prosecutor and the members of its Office, as well as the continuing threats from the American authorities. These attacks hamper the proper functioning of the Court, undermine its integrity and threaten its independence. To attack the International Criminal Court is to attack our values and our essential interests. This is unacceptable.

Together with its partners, Belgium stands ready to react and assist the Court in order to counter the effects of these measures in a concrete and practical way. It also calls on the United States once again to reconsider its position.

Thank you.