



Permanent Mission of the Republic of Kenya
to the United Nations
Security Council - 2021-2022

SECURITY COUNCIL BRIEFING ON THE SITUATION IN LIBYA (ICC – LIBYA)

WEDNESDAY, 9 NOVEMBER 2022 (10:00AM)

STATEMENT DELIVERED BY MS. JAYNE TOROITICH, POLITICAL COORDINATOR

Thank you Madam President.

1. And thank you Prosecutor Khan for your briefing and your 24th report subject to resolution 1970.
2. Madam President, we welcome the fact that the Prosecutor is briefing the Council from Libya and take note of his engagements with the Libyan authorities and stakeholders.
3. I also welcome the participation of the Permanent Representative of Libya in this meeting.

Madam President,

4. It is the foremost responsibility of a State to deliver justice and accountability to its people. This forms the basis upon which to extend international support to any Member. Therefore, Kenya reiterates its long-held position that international support with regard to justice and accountability must be underpinned by the principle of complementarity.

5. In this regard, we reaffirm our support the people of Libya in pursuing accountability and justice within the broader framework of the peace process. The referral to the Court under resolution 1970, just like any other international or regional assistance or cooperation, is also subject to the principle of complementarity.
6. Noting the increased interaction between the Court and the Libyan authorities from the Prosecutor's report in the reporting period, we urge that support for Libya's national capacity in the areas on investigations, prosecution and judiciary also be increased.
7. We also urge for closer collaboration in information sharing including on outcomes of fact-finding exercises carried out.

Madam President,

8. During the briefing on 28 April this year, we called on the Prosecutor to provide further reporting on the crimes against migrants which he opined may constitute crimes against humanity and war crimes.
9. We take note of the Prosecutor's report on efforts deployed under this line of investigation. We urge more efforts and action especially due to the complicating extra-regional interests in migration across the Mediterranean from Africa into Europe.
10. It is also important to consider how the explicit and implicit national policies of countries claiming to assist stem irregular migration, may be aiding in the continued indignity visited on the migrants, refugees and asylum seekers.
11. We continue looking forward to further reporting on this issue. And we call on Libyan authorities, the European Union and other interested parties to earnestly seek to address the push factors of migration.

12. Finally, Madam President, we reassure the people of Libya of our support in seeking peace in a Libyan-led and owned peace process. We also reaffirm our commitment to the sovereignty and territorial integrity of Libya.

Thank you.