



# Security Council

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## Letter dated 31 December 2024 from the Permanent Representatives of Japan and Switzerland to the United Nations addressed to the President of the Security Council

We have the honour to transmit herewith a compilation of developments in the Security Council in relation to the International Criminal Court, prepared by Japan and Switzerland in their capacity as co-focal points for the Court within the Council (see annex).

The compilation entails an overview of all relevant meetings, statements and products of the Security Council that refer to the Court during the period from 1 January to 31 December 2024.

We would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

*(Signed)* **Yamazaki** Kazuyuki  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative of Japan to the United Nations

*(Signed)* Pascale **Baeriswyl**  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative of Switzerland to the United Nations



**Annex to the letter dated 31 December 2024 from the Permanent Representatives of Japan and Switzerland to the United Nations addressed to the President of the Security Council**

**Information conveyed by Japan and Switzerland in their capacity as co-focal points for the International Criminal Court at the Security Council regarding developments at the Council in relation to the Court (1 January–31 December 2024)**

**I. Briefings by the Prosecutor of the International Criminal Court to the Security Council on the situations in Libya and Darfur**

The Prosecutor of the International Criminal Court, Karim Khan, briefed the Security Council on 29 January, 14 May, 5 August and 19 November 2024 on the situations in Darfur and Libya pursuant to resolutions [1593 \(2005\)](#) and [1970 \(2011\)](#), adopted under Chapter VII, which referred these situations to the Court.

**1. Briefings on the situation in Darfur (29 January and 5 August)**

The Prosecutor submitted his thirty-eighth and thirty-ninth reports on the situation in Darfur (the Sudan) to the Security Council. During his first briefing, Mr. Khan reported virtually from Chad on the dire situation on the ground and spoke of his recent encounters with survivors in Farchana. He mentioned grounds to believe that crimes falling within the Rome Statute were being committed on the territory of the Sudan. The Prosecutor underlined that cooperation from all parties must be significantly and meaningfully improved. The overdue appointment of a focal point by the Government of Sudan and the issuance of single-entry visas were cited as the only positive developments. At his second briefing, the Prosecutor informed the Council of the further deterioration of the situation. He mentioned widespread suffering and harrowing accounts of crimes against and affecting children, as well as a sustained catalogue of allegations of gender-related crimes. He emphasized that those violations were fuelled by a sense of impunity. Nevertheless, the Prosecutor informed the Council that progress had been made, including through increased cooperation with Sudanese authorities, evidence collection and the efficient prosecution of Ali Muhammad Ali Abd-Al-Rahman (also known as “Ali Kushayb”). The Prosecutor shared his hope of being able to announce applications for additional arrest warrants in his next report and called for accelerated cooperation, in particular for the extradition of fugitives such as Ahmad Muhammad Harun (also known as “Ahmad Haroun”).

**2. Briefing on the situation in Libya (14 May and 19 November)**

The Prosecutor submitted his twenty-seventh and twenty-eighth reports to the Security Council. During his first briefing, he recalled his prioritization of Council referrals and the efforts invested in the renewed strategy in relation to Libya. Building on that progress, the Prosecutor presented a road map for the completion of the investigative phase in Libya by the end of 2025. It was underscored that the end of the investigative phase was reliant on the continued and enhanced cooperation of the Libyan authorities. As a result, the next period would see an intensification of activities with additional applications for arrest warrants and greater support to national proceedings in Libya. At his second briefing, Mr. Khan spoke virtually from Tripoli and highlighted significant progress made during the reporting period. He elaborated on advancements in investigations into three of the four key lines of

inquiry. The Prosecutor also emphasized the increased cooperation with Libyan authorities, as demonstrated through high-level meetings, as well as meaningful engagement with civil society. The Prosecutor reaffirmed the goal of concluding investigative activities by the end of 2025, contingent upon continued cooperation with Libya. He further announced his anticipation of additional arrest warrant applications.

### **3. Joint press stakeouts by members of the Security Council that are States parties to the Rome Statute of the International Criminal Court**

- Joint press stakeout on the situation in Darfur (Court referral pursuant to resolution [1593 \(2005\)](#)) (29 January)
- Joint press stakeout on the situation in Libya (Court referral pursuant to resolution [1970 \(2011\)](#)) (14 May)
- Joint press stakeout on the situation in Darfur (Court referral pursuant to resolution [1593 \(2005\)](#)) (5 August)
- Joint press stakeout on the situation in Libya (Court referral pursuant to resolution [1970 \(2011\)](#)) (19 November)

## **II. Meetings dedicated to the International Criminal Court**

No meetings, such as Arria-formula meetings, were specifically dedicated to the Court in 2024.

## **III. Other relevant meetings**

References to the Court were made in the following Security Council meetings, by both member and non-member States of the Council or by other participants:

1. Maintenance of peace and security of Ukraine, 10 January 2024 ([S/PV.9526](#))
2. The situation in the Middle East, including the Palestinian question, 12 January 2024 ([S/PV.9531](#))
3. Threats to international peace and security, 22 January 2024 ([S/PV.9533](#))
4. The situation in the Middle East, including the Palestinian question, 23 and 24 January 2024 ([S/PV.9534](#) and [S/PV.9534 \(Resumption 1\)](#))
5. Reports of the Secretary-General on the Sudan and South Sudan, 29 January 2024 ([S/PV.9538](#))
6. The situation in the Middle East, including the Palestinian question, 31 January 2024 ([S/PV.9540](#))
7. Threats to international peace and security, 6 February 2024 ([S/PV.9544](#))
8. Maintenance of peace and security in Ukraine, 23 February 2024 ([S/PV.9557](#))
9. Reports of the Secretary-General on the Sudan and South Sudan, 7 March 2024 ([S/PV.9567](#))
10. Maintenance of peace and security of Ukraine, 8 March 2024 ([S/PV.9570](#))
11. Implementation of the note by the President of the Security Council ([S/2017/507](#)), 14 March 2024 ([S/PV.9571 \(Resumption 1\)](#))

12. The situation in the Middle East, including the Palestinian question, 11 March 2024 ([S/PV.9572](#))
13. Maintenance of peace and security of Ukraine, 15 March 2024 ([S/PV.9578](#))
14. The situation in Myanmar, 4 April 2024 ([S/PV.9595](#))
15. Maintenance of peace and security of Ukraine, 11 April 2024 ([S/PV.9600](#))
16. Threats to international peace and security, 12 April 2024 ([S/PV.9601](#))
17. The situation in the Middle East, including the Palestinian question, 18 and 25 April 2024 ([S/PV.9608 \(Resumption 1\)](#) and [S/PV.9608 \(Resumption 2\)](#))
18. Reports of the Secretary-General on the Sudan and South Sudan, 19 April 2024 ([S/PV.9611](#))
19. Women and peace and security, 23 and 26 April 2024 ([S/PV.9614](#), [S/PV.9614 \(Resumption 1\)](#) and [S/PV.9614 \(Resumption 2\)](#))
20. The situation in the Middle East, including the Palestinian question, 24 April 2024 ([S/PV.9617](#))
21. The situation in Libya, 14 May 2024 ([S/PV.9624](#))
22. Maintenance of peace and security of Ukraine, 14 May 2024 ([S/PV.9625](#))
23. Threats to international peace and security, 20 May 2024 ([S/PV.9629](#))
24. The situation in the Middle East, including the Palestinian question, 20 May 2024 ([S/PV.9631](#))
25. Protection of civilians in armed conflict, 21 and 22 May 2024 ([S/PV.9632](#), [S/PV.9632 \(Resumption 1\)](#) and [S/PV.9632 \(Resumption 2\)](#))
26. The situation in the Middle East, including the Palestinian question, 29 May 2024 ([S/PV.9638](#))
27. Maintenance of peace and security of Ukraine, 7 June 2024 ([S/PV.9647](#))
28. The situation in the Democratic People's Republic of Korea, 12 June 2024 ([S/PV.9653](#))
29. Reports of the Secretary-General on the Sudan and South Sudan, 13 June 2024 ([S/PV.9656](#))
30. Reports of the Secretary-General on the Sudan and South Sudan, 18 June 2024 ([S/PV.9659](#))
31. Maintenance of international peace and security, 20 June 2024 ([S/PV.9662](#) and [S/PV.9662 \(Resumption 1\)](#))
32. Children and armed conflict, 26 and 27 June 2024 ([S/PV.9669](#), [S/PV.9669 \(Resumption 1\)](#) and [S/PV.9669 \(Resumption 2\)](#))
33. Maintenance of international peace and security, 9 July 2024 ([S/PV.9682](#))
34. Peace consolidation in West Africa, 12 July 2024 ([S/PV.9685](#))
35. Maintenance of international peace and security, 16 July 2024 ([S/PV.9686](#))
36. The situation in the Middle East, including the Palestinian question, 17 and 19 July 2024 ([S/PV.9687](#), [S/PV.9687 \(Resumption 1\)](#) and [S/PV.9687 \(Resumption 2\)](#))
37. Threats to international peace and security, 25 July 2024 ([S/PV.9693](#))

38. The situation in the Middle East, including the Palestinian question, 26 July 2024 ([S/PV.9694](#))
39. The situation in the Middle East, including the Palestinian question, 31 July 2024 ([S/PV.9696](#))
40. Reports of the Secretary-General on the Sudan and South Sudan, 5 August 2024 ([S/PV.9697](#))
41. Reports of the Secretary-General on the Sudan and South Sudan, 6 August 2024 ([S/PV.9698](#))
42. Crimes of the Ukrainian armed forces and the nationalist battalions, 13 August 2024 (Arria-formula meeting)
43. Peacebuilding and sustaining peace, 21 August 2024 ([S/PV.9710 \(Resumption 1\)](#))
44. Maintenance of international peace and security, 28 August 2024 ([S/PV.9714](#))
45. Threats to international peace and security, 30 August 2024 ([S/PV.9716](#))
46. The situation in the Middle East, including the Palestinian question, 4 September 2024 ([S/PV.9717](#))
47. United Nations peacekeeping operations, 9 September 2024 ([S/PV.9719](#))
48. Maintenance of peace and security of Ukraine, 10 September 2024 ([S/PV.9720](#))
49. The situation in the Middle East, including the Palestinian question, 16 September 2024 ([S/PV.9725](#))
50. Reports of the Secretary-General on the Sudan and South Sudan, 18 September 2024 ([S/PV.9727](#))
51. The situation in the Middle East, including the Palestinian question, 19 September 2024 ([S/PV.9728](#))
52. The situation in the Middle East, including the Palestinian question, 20 September 2024 ([S/PV.9730](#))
53. Maintenance of peace and security of Ukraine, 24 September 2024 ([S/PV.9731](#))
54. Maintenance of peace and security, 25 and 26 September 2024 ([S/PV.9732](#), [S/PV.9732 \(Resumption 1\)](#) and [S/PV.9732 \(Resumption 2\)](#))
55. Maintenance of international peace and security, 30 September 2024 ([S/PV.9737](#))
56. The situation in Libya, 9 October 2024 ([S/PV.9743](#))
57. The situation in the Middle East, including the Palestinian question, 9 October 2024 ([S/PV.9744](#))
58. Maintenance of international peace and security, 21 October 2024 ([S/PV.9753](#))
59. Maintenance of peace and security of Ukraine, 21 October 2024 ([S/PV.9755](#))
60. Women and peace and security, 24 October 2024 ([S/PV.9760](#) and [S/PV.9760 \(Resumption 1\)](#))
61. Systematic violations of international humanitarian law committed by the armed forces of Ukraine on the territory of the Russian Federation, 25 October 2024 (Arria-formula meeting)

62. Reports of the Secretary-General on the Sudan and South Sudan, 28 October 2024 ([S/PV.9761](#))
63. The situation in the Middle East, including the Palestinian question, 29 and 30 October 2024 ([S/PV.9763](#), [S/PV.9763 \(Resumption 1\)](#) and [S/PV.9763 \(Resumption 2\)](#))
64. Threats to international peace and security, 31 October 2024 ([S/PV.9769](#))
65. The situation in the Central African Republic, 14 November 2024 ([S/PV.9783](#))
66. Reports of the Secretary-General on the Sudan and South Sudan, 18 November 2024 ([S/PV.9786](#))
67. The situation in the Middle East, 18 November 2024 ([S/PV.9787](#))
68. Maintenance of peace and security of Ukraine, 18 November 2024 ([S/PV.9788](#))
69. The situation in Libya, 19 November 2024 ([S/PV.9789](#))
70. The situation in the Middle East, 21 November 2024 ([S/PV.9793](#))
71. The situation in the Middle East, including the Palestinian question, 25 November 2024 ([S/PV.9794](#))
72. Protection of civilians in armed conflict, 26 November 2024 ([S/PV.9795](#))
73. Maintenance of peace and security of Ukraine, 27 November 2024 ([S/PV.9796](#))
74. The situation in the Middle East, 3 December 2024 ([S/PV.9798](#))
75. Maintenance of peace and security of Ukraine, 4 December 2024 ([S/PV.9799](#))
76. The situation in the Middle East, 5 December 2024 ([S/PV.9800](#))
77. The situation concerning the Democratic Republic of the Congo, 9 December 2024 ([S/PV.9804](#))
78. International Residual Mechanism for Criminal Tribunals, 10 December 2024 ([S/PV.9805](#))
79. The situation in Afghanistan, 12 December 2024 ([S/PV.9810](#))
80. Maintenance of peace and security in Ukraine, 16 December 2024 ([S/PV.9816](#))
81. The situation in the Middle East, including the Palestinian question, 18 December 2024 ([S/PV.9819](#))

#### **IV. Resolutions adopted**

##### **Resolution 2759 (2024) on the situation in the Central African Republic, adopted on 14 November 2024**

Welcomes the adoption of the National Human Rights Policy and reiterates the urgent and imperative need to hold accountable all those responsible for violations of international humanitarian law and violations and abuses of human rights irrespective of their status or political affiliation, reiterates that some of those acts may amount to crimes under the Rome Statute of the International Criminal Court, to which the Central African Republic is a State party, and recalls that committing acts of incitement to violence, in particular on an ethnic or religious basis, and then engaging in or providing support for acts that undermine the peace, stability or security of the Central African Republic could

be a basis for sanctions designations pursuant to resolution [2745 \(2024\)](#); (para. 22)

### **Resolution [2765 \(2024\)](#) on the situation concerning the Democratic Republic of the Congo, adopted on 20 December 2024**

Urges the Government of the Democratic Republic of the Congo to hold accountable those responsible for violations of international humanitarian law or violations and abuses of human rights, in particular those that may amount to genocide, war crimes and crimes against humanity, stresses both regional cooperation and the Democratic Republic of the Congo's cooperation with the International Criminal Court following the Democratic Republic of the Congo's referral of the situation in the Democratic Republic of the Congo in 2004, as well as cooperation with the African Court of Human and Peoples' Rights, and notes the May 2023 referral of the Democratic Republic of the Congo authorities followed by the International Criminal Court Prosecutor's decision to renew the Office's investigative efforts in the Democratic Republic of the Congo, with a priority focus given to any alleged Rome Statute crimes occurring in North Kivu since January 2022; (para. 5)

## **V. Conclusions adopted**

There were no references made to the International Criminal Court in the conclusions of Security Council working groups in 2024.

## **VI. Presidential statements**

The Council did not adopt any presidential statements referring to the International Criminal Court in 2024.

## **VII. Reports submitted or transmitted by the Secretary-General**

### **Implementation of resolution [2697 \(2023\)](#) (S/2024/20, 15 January 2024)**

See the principles on personal data protection and privacy, adopted by the High-level Committee on Management on 11 October 2018; article 55 of the Rome Statute of the International Criminal Court (17 July 1998); rule 95 of the Rules of Procedure and Evidence of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (IT/32/Rev.50, 8 July 2015); rule 42 of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (2 June 2020); Office of the United Nations High Commissioner for Human Rights, Manual on Human Rights Monitoring (HR/P/PT/7/Rev.1, 2011). (annex, footnote 1)

See for example: articles 6, 7, 8, 10 and 11 of the Universal Declaration of Human Rights (10 December 1948); articles 14 and 16 of the International Covenant on Civil and Political Rights (16 December 1966); article 13 of the Arab Charter on Human Rights (2004); article 19 of the Cairo Declaration on Human Rights in Islam (5 August 1990); articles 3, 7 and 26 of the African Charter on Human and Peoples' Rights (June 1981); articles 5, 6 and 7 of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) (4 November 1950); articles 3, 8, 9 and 10 of the American Convention on Human Rights (22 November 1969);

articles 20 (1) and 21 (2) of the statute of the International Tribunal for the Former Yugoslavia, as amended in September 2009; articles 64 (2) and 67 (1) of the Rome Statute of the International Criminal Court (17 July 1998). (annex, footnote 2)

**Situation in the Sudan pursuant to Security Council resolution 2715 (2023) (S/2024/204, 29 February 2024)**

On 19 February, press reports indicated that the Deputy Commander of the Sudanese Armed Forces, General Shams Al-Din Kabbashi and the Deputy Leader of the Rapid Support Forces, Abdulrahim Hamdan Dagalo, had reached a draft agreement entitled “Document on the principles and basis for a comprehensive solution to the Sudanese crisis” in Bahrain in January. The draft agreement reportedly envisioned, inter alia: a civilian, democratic, federal system of governance keeping equal distance from all religions; the establishment of a national professional army; the dismantling of the dissolved National Congress Party regime; and the extradition of International Criminal Court indictees. Subsequently, however, in a speech on 15 February, General Kabbashi stated that the Sudanese Armed Forces would continue to fight until the Rapid Support Forces had vacated civilian properties. Similarly, General Burhan affirmed on 17 February that the Sudanese Armed Forces would not negotiate until the Rapid Support Forces left Khartoum and Al-Gazira State. On 11 February, General Dagalo stated that the Rapid Support Forces would continue to fight following the breakdown of the Bahrain talks. (para. 12)

**Conflict-related sexual violence (S/2024/292, 4 April 2024)**

I recommend that the Security Council: [...] consider referring to the Prosecutor of the International Criminal Court situations in which crimes of sexual violence, as defined in its Statute, appear to have been committed; (para. 93 (h))

**Protection of civilians in armed conflict (S/2024/385, 14 May 2024)**

At the International Criminal Court, proceedings began or continued against individuals accused of international crimes in the Central African Republic, Darfur and Mali. In March 2023, the Court issued arrest warrants for the alleged war crimes of unlawful deportation of population (children) and of unlawful transfer of population (children) from occupied areas of Ukraine to the Russian Federation. (para. 47)

**Responsibility to protect: the commitment to prevent and protect populations from atrocity crimes (S/2024/434, 3 June 2024)**

United Nations Educational, Scientific and Cultural Organization, Declaration concerning Intentional Destruction of Cultural Heritage, 17 October 2003; and International Criminal Court, Policy on Cultural Heritage, June 2023. (footnote 14)

See for example, International Criminal Court, *The Prosecutor v. Dominic Ongwen*, Case No. ICC-02/04-01/15, February 2021. (footnote 35)

See for example, International Criminal Court, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, Case No. ICC-01/12-01/15, April 2024. (footnote 37)



**Implementation of Security Council resolution 2334 (2016) (S/2024/480, 19 June 2024)**

On 20 May, the Prosecutor of the International Criminal Court applied for arrest warrants for Yahya Sinwar (Head of Hamas in Gaza), Mohammed Diab Ibrahim al-Masri (Commander-in-Chief of the military wing of Hamas, known as the Qassam Brigades) and Ismail Haniyeh (Head of the Hamas Political Bureau), alleging that they bear criminal responsibility for “war crimes and crimes against humanity committed on the territory of Israel and the State of Palestine (in the Gaza Strip) from at least 7 October 2023”. The Prosecutor also applied for arrest warrants for Benjamin Netanyahu (Prime Minister of Israel) and Yoav Gallant (Minister of Defence of Israel), alleging that they bear criminal responsibility for war crimes and crimes against humanity “committed on the territory of the State of Palestine (in the Gaza Strip) from at least 8 October 2023”. (para. 47)

**Women and peace and security (S/2024/671, 24 September 2024)**

At the international level, in February 2024, the International Criminal Court delivered an order on reparations to victims in the case against Dominic Ongwen for crimes committed in the Democratic Republic of the Congo, which may reach nearly 50,000 individuals, including victims of sexual and gender-based crimes and children born of those crimes. In December 2023, the Office of the Prosecutor of the International Criminal Court revised its Policy on Gender-based Crimes, making important adjustments, including embedding a survivor-centred and trauma-informed approach in the Office’s work. (para. 71)

International Criminal Court, Trial Chamber IX, *The Prosecutor v. Dominic Ongwen*, Case No. ICC-02/04-01/15, Reparations Order, 28 February 2024. (footnote 73)

Below are some suggestions for pledges at the twenty-fifth anniversary [of the Beijing Declaration and Platform for Action]: [...] Pursue all avenues for stronger international accountability for gross violations of women’s rights. Such an approach may entail efforts to: prosecute gender persecution, prepare cases for the International Court of Justice regarding violations of the Convention on the Elimination of All Forms of Discrimination against Women, cooperate with the International Criminal Court on the investigation and prosecution of gender-based crimes, support the use of sanctions against individuals in positions of responsibility for the systematic and widespread violations of women’s rights, or use national criminal justice systems to hold accountable those that commit crimes against women in all spheres of life, including conflict-related sexual violence, reproductive violence, or violence against women in political and public life, both online and offline; (para. 103 (d))

**United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2024/863, 29 November 2024)**

On 26 September, the East African Court of Justice began proceedings in Arusha, United Republic of Tanzania, in a case filed by the Democratic Republic of the Congo, which accuses Rwanda of acts of aggression that violate its sovereignty, territorial integrity, political stability and independence and argues that the actions of Rwanda have led to significant human rights violations in North Kivu. Rwanda requested that the case be dismissed, questioning the Court’s jurisdiction and citing procedural concerns. On 14 October, the Prosecutor of the International Criminal Court announced renewed investigative efforts for crimes committed in North Kivu by all conflict parties since 1 January

2022, as part of a second referral, submitted by the Congolese authorities on 23 May 2023. (para. 10)

**The situation in Central Africa and the activities of the United Nations Regional Office for Central Africa (S/2024/865, 29 November 2024)**

On 15 October, the International Criminal Court postponed the hearing in the case of the founder of the Lord's Resistance Army, Joseph Kony, who has been on the run for nearly 20 years. Mr. Kony is charged with war crimes and crimes against humanity, including murder, cruel treatment, enslavement, rape and attacks against the civilian population in 2003 and 2004 in northern Uganda. (para. 26)

**United Nations Support Mission in Libya (S/2024/895, 10 December 2024)**

On 4 October, the International Criminal Court unsealed six arrest warrants related to alleged war crimes committed in Tarhunah. The individuals named in the arrest warrants also remained subject to arrest warrants issued by the Attorney General of Libya. Their exact whereabouts are unknown. (para. 53)

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